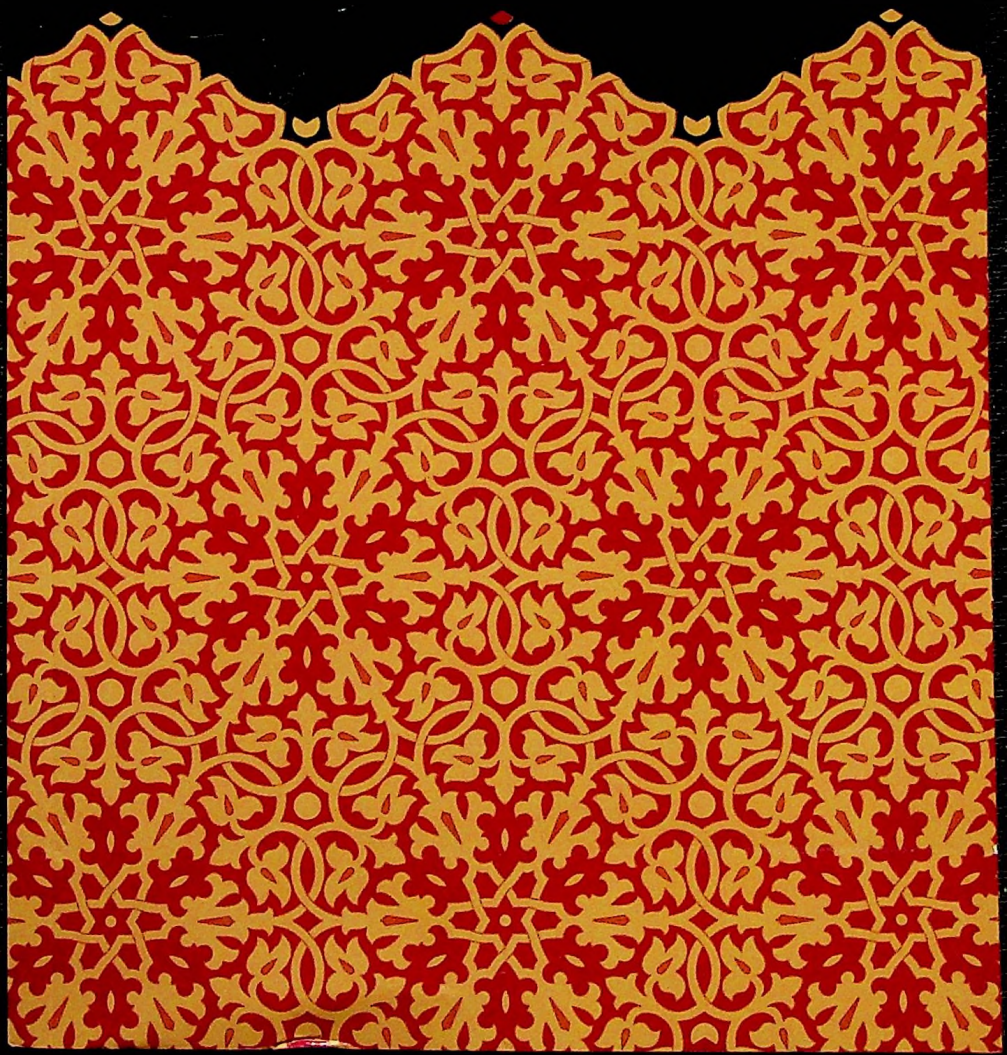
The *Sunna* of the Prophet

the People of *Fiqh* versus the People of *Hadith*

MUHAMMAD AL-GHAZALI



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Preface

I have close ties with the Centre for Islamic Thought in the United States. I often participate in their gatherings and research projects. The centre has taken on an important cultural task: that of repairing what has been broken in the current of Islamic thought after ensuring the purity of its sources and defining its direction in the light of a fair but penetrating examination of the contemporary human situation. It accepts that part of it which is the fruit of sound natural patterning because Islam is *Deen al-Fitra*. It rejects that which is the spawn of blind passion and useless argumentation.

The centre has charged me with writing a book to do justice to the *Sunna* of the Prophet and to defend it against the insolence of those whose understanding is inadequate and those with weak intellects. The truth is that I welcomed this commission because it actually tallies with a desire I myself have long had and so I have hurried to discharge it to the best of my ability.

While I acknowledge the deep friendship and intellectual kinship which bind me to Dr. 'Abdu'l-Hamid Abi Sulayman and Dr. Taha Jabir al-'Alwani, I nevertheless want to make it clear that I take upon myself the responsibility for the rulings which I affirm in the book and that it is my job to respond to the objections which it has provoked.

I have offered Dar ash-Shuruq the first edition of this book, hoping that I will defend our pristine *deen* against ignorant adherents and detractors and demonstrate to people the vastness of the mercy with which Allah sent the bearer of the Final Message. Allah says, *"We only sent you as a mercy to the worlds."* (21:107)

Muhammad al-Ghazali

Preface to the Sixth Edition

The fact that this book has been reprinted five times in five months is indicative of the thirst of Muslim readers for useful knowledge and impartial study. I agreed to prepare a new edition with some important additions so that I could include some corrections suggested by people with whom I have spoken, who have written to me, or whose comments have reached me. In addition there have been some people who have insulted me, but I have found it best to ignore them. All of the Prophets were insulted and so it is only right that their followers should emulate them in their patience and forbearance!

They said: "God has a son."
They said: "The Messenger is a soothsayer."
Since neither Allah nor the Messenger were safe
from people's tongues, how can I be?

But the abuse that really pains me is the accusation made by some that I have opposed the *Sunna* of the Prophet! I proclaim that I love Allah and His Messenger more than anything else and that my sincere devotion to Islam remains unchanged – and that it would be more appropriate for those traducers to cling to *fiqh* and learn good manners. My goal is to purify the *Sunna* of whatever sullies it. I desire to protect Islamic culture from certain people about whom it can be said that they seek knowledge on Saturday, teach it on Sunday, become professors in it on Monday, and by Tuesday contend with the great Imams, saying, "We are men and they too were men!"

Similarly overnight the cultural leadership of the Muslims has fallen into the hands of some impostors who are regarded with horror and dismay by all people of intelligence. Since those peo-

ple do not have any shaykhs to teach them or professors to educate them, their education comes from daily experience which is full of oddities!

I thought that it necessary to include some things in the book to refute certain doubts and respond to certain issues and I stress that I stand with the majority of the *fuqaha'* and *hadith* scholars of Islam and do not follow any deviant school. I place myself at the heart of the Community and defend its goals. Those who possess knowledge know what I mean.

The gravity of the current situation arises from students or from certain religious types whose cackling rises into the dark night that covers the Islamic world. The enemies of Islam in Europe and America depend on the shallowness of the ideas of such people to extinguish a new awakening of our embattled and wounded *deen*. The civilisation which currently rules the world is full of errors and mistakes but it will continue to be dominant as long as there is no better alternative to be found. Does the best alternative consist merely of shortened trousers and a bushy beard? Or is it, rather, a keen intellect, clean heart, pure character, sounder natural form and wiser way of life that are needed?

Some youths have been successful in getting hold of the trunk of the tree of Islamic learning but then have mistaken minor branches for essential roots and turned vital basic principles into leaves which tumble down with any wind. The true integrity of Islam lies in the fact that the human soul is formed on the principle: *"He who purifies it has succeeded. He who covers it up has failed,"* (91:9-10) and the role of being Allah's vice-regent in the earth is according to the principle: *"Those who, if We establish them firmly on the earth, will establish the prayer and pay* zakat, *and command the right and forbid the wrong."* (22:41)

I ask the noble leaders of religious groups and the great guardians of the legacy of the *Salaf* to examine themselves and bear two things in mind. The first is greater study of the *ayats* of the Noble Qur'an. And the second is to connect the noble *hadiths* with the evidence of the Qur'an. A complete and praise-

worthy knowledge of Islam can only gained when both these things come together.

Arrogance is a vice in a man of knowledge, so how much more is that the case when arrogance is coupled with ignorance and inadequacy! This book is a result of many years experience in the field of *da'wa* and by it I hope to stimulate the awakening of sincere workers and strengthen their resolve. *"I desire only to put things right as much as possible,"* and *"my success is only by Allah in whom I trust and to Whom I turn in repentance."*

Muhammad al-Ghazali

Introduction

My heart supports the young people of the Islamic revival who do a great deal of work for Islam and some of whom are eager to do even more. They fought the Russians in Afghanistan and faced death and were forced to flee. They continue to fight the remaining apostates and traitors and the end is not in sight and the struggle still continues. Before that they fought the French in Algeria. They sacrificed their lives and limbs until Allah granted them relief and the chains were broken and the shouts of "Allah is greater" reverberated through the mosques which had been closed. *"Who could do greater wrong than someone who bars access to the mosques of Allah, preventing His name from being remembered in them, and goes about destroying them? Such people will never be able to enter them – except in fear. They will have disgrace in this world, and in the Next World they will have a terrible punishment."* (2:114)

In the battle for Palestine the Muslim leaders experienced many times more losses than the Jews and their hopes were repeatedly dashed against iron walls. If the battle had continued in the same vein for a longer period, the Jews would have retreated and returned to their homes in eastern or western Europe, but global plots removed Islam from the battle and caused the Arabs to fight for causes other than their *deen* and so Israel was established and continues to swagger in its deluded arrogance. Then Islam returned again to the fray. There was a new Intifada that ignited the fire of resistance and both friend and enemy remembered that salvation lies in Islam alone.

My heart supports the Islamic revival which is beset by global plots and whose heroes are exposed to injustice after injustice and pain after pain. I want to inform the struggling youth that the liberation of the lands of Islam from foreign occupation is a

great goal but is only part of the ultimate goal for which we are striving. If an Arab state were to be established somewhere, but that state was far from the *deen*, what would be the value and significance in that? We are the vanguard of Islam who desire to elevate the Divine Revelation, revive the natural human patterning and guide mankind to reconnect themselves to their Lord and act according to His guidance. Our inheritance which guided the world for many centuries must arise from its decline, renew its message and cleanse the earth of filth.

That is why I view with grave concern the intellectual atmosphere that currently dominates the arena of Islamic revival. It is with anxiety that I study its spread, sacrifice, good and evil, right and wrong, believing that only when it accords with the truth will it will enjoy the support of the blessings of Allah and the good things of the earth.

Together with other intelligent people I have studied the prevailing intellectual ambience and we agree on the necessity of dealing kindly with the individuals who promulgate it and guiding them to the Straight Path with patience. We have noticed that the principal truths of the Path of Islam are definitely not at one with the intellectual ambience which pretends to espouse it, and these truths have often been lacking in the course of our history, especially in recent centuries. If our governments had been better guided and freedom and justice had prevailed, we would not have fallen prey to the talons of colonisation which devastated us and nearly effaced our existence and our *deen*. What good can there be in a renaissance that does not take account of the reasons for past defeats?

Despotic powers, both ancient and modern, delight in scholarly disputes which do not touch them in any way. Is there really any doubt about whether or not someone has broken *wudu'*? Is it possible or impossible to see Allah in the Next World? Is the recitation of the imam enough for those who pray behind him or not? Tyrannical rulers fervently desire the masses to immerse themselves in such questions and never emerge from them but their harm becomes apparent when it is asked: Is the state meant

to serve people or principles? Why has wealth become the private preserve of certain people only? Do people live in freedom or are they enslaved under the whips of Pharaohs for a mere pittance?

During the time of the early Muslim victories, a bedouin addressed the Persians and said, "We have come to liberate people from the worship of creatures to the worship of Allah, the One." Because of his sound natural patterning this bedouin knew where the crucial truths in Islam lay and opened people's eyes to them. My heart was pained recently by a young man who was deeply concerned about the question of whether or not touching a woman breaks *wudu'*. His concern about this was far more intense than his concern about whether he was being governed by the laws of Allah or not. The lack of any real grasp of the great truths by the present generation is a factor which cannot be overlooked.

Another thing that we wish to discuss is the logic by which secondary matters have come to completely dominate people's thinking. Weak positions and abstruse opinions have spread far and wide, and judgements which, during the time of the first flowering of Islam, were given less weight, are now preferred so that people have come to fear that if Islam were to come to power again, rigidity and inflexibility would come with it. The mire becomes muddier still when innocent youths are told to ignore the words of past scholars and the schools of the Imams and that they should take their knowledge directly from the Book and *Sunna*. I dislike fanatical adherence to particular *madhhabs* and see it as a result of deficiency in *fiqh* as well as bad character. But imitation of a school is far less harmful than puerile *ijtihad* without proper understanding of the sources.

It is self-evident that all kinds of serious problems have been spawned by this new tendency. You hear one young man saying: "Malik does not know the *hadith* about the *istiftah* in the prayer or the *sunna* of seeking refuge or the importance of the *basmala*. He also ends the prayer without completing the two *salams*. He is therefore ignorant of the *Sunna* of the Prophet." Another may

say, "Abu Hanifa does not raise his hands before or after *ruku'* and tells his followers not to recite any Qur'an behind the imam. Sometimes they pray after touching a woman and so pray without *wudu'*. So he too was ignorant of Islam!" Unfortunately there are many Muslims who listen to young men such as these and come to adopt their scandalous opinions.

The scholars of al-Azhar should be those who are in the best position to correct these terrible errors of judgement. Islam is taught there in a comprehensive way which includes the thought of the *Salaf* and later scholars and the four Imams, and the various types of *tafsir* and *hadith* and all the different positions and opinions they include are also studied there. But for thirty years or more al-Azhar has suffered a decline in its scholarly reputation and prominence. That is one of the reasons why the way is open for every Tom, Dick and Harry to spout their uninformed opinions. Dozens of students have done this and stirred up disquiet and dissent rather than dispelling it and providing solutions to people's problems. Unsound *fiqh* has spread and infantile ideas about dogma and laws have become common currency. In my book, *The Constitution of Cultural Unity*, I tried to halt this decline, but the matter requires continued efforts and enlightened policies.

This book contains a draught which will be bitter to those young men who get hold of the books of *hadith* and then suppose that they have a comprehensive knowledge of Islam after a cursory or even a deeper reading. It may also contain useful lessons for those shaykhs who fight *madhhab*-based *fiqh* on the grounds of so-called *Salafi* considerations which recognise the surface of Islam while forgetting its core. I stress first and last that I am part of the mainstream of Islam, the great caravan led by the Rashidun Khalifs and followed by Imams and reliable scholars, from the *Salaf* through to later generations, proceeding along the same route and praying to Allah with truthfulness: *"Our Lord, forgive us and our brothers who preceded us in belief and do not put any rancour in our hearts towards those who believe. Our Lord, You are All-Gentle, Most Merciful."* (59:10)

Chapter One
A Template for Opinion and Transmission

The reliability of reports is one criterion to be used in determining the truth to be true and falsehood to be false. The Muslims were very concerned with this aspect of knowledge and evidence, especially in matters connected to the life of their Prophet and any words or actions which are ascribed to him. There is one sure way to please Allah Almighty and gain His love and that is to follow the example of Muhammad, may Allah bless him and grant him peace, and to follow in his footsteps and act according to his *Sunna* since Allah says, *"Say, 'If you love Allah, then follow me and Allah will love you and forgive you for your wrong actions.'"* (3:31)

Our Community has a long history of protecting its prophetic legacy and defending it against being misconstrued, and it considers lying about the Messenger to be something which will take anyone who does it to eternal punishment in Hell because it involves falsification of the *deen* and forging lies against Allah. The Prophet, may Allah bless him and grant him peace said, "Lying about me is not like lying about anyone else. Whoever lies about me deliberately will take his seat in Hell."

Scholars who study the *Sunna* have laid down five preconditions for the acceptability of *hadiths* of the Prophet: three concern the *isnad* and two the text itself.

- The *isnad* must be comprised of transmitters with good memories who are precise in respect of what they hear and then report it accurately.

- As well as having an intelligent grasp of the text, they must also have unimpeachable morals and a conscience which fears Allah and refrains from any temptation to adulterate it.
- These two qualities must be applied to everyone of those who make up the chain of transmitters. If any chain is lacking in one transmitter or one of the men in the chain is unsure, then the *hadith* is less than sound.

When the *isnad* has been found to be acceptable on this basis, then we examine the text transmitted by it. i.e. the text of the *hadith* itself.

- It must not be aberrant.
- It must not have a fault which renders it unacceptable.

Aberration arises when the text concerned contradicts a reliable transmission from a more reliable transmitter. When those with expertise see such an impairing fault in the *hadith*, that moves them to reject it.

These preconditions provide an adequate guarantee of the precision of the transmission. Indeed, in the whole history of human culture I do not know of anything comparable to this firm establishment and determination of reliability of any other tradition. The important thing is to apply these criteria properly.

There are many scholars studying the Muhammadan *Sunna* who profess great jealousy for the *Sunna* and fear of Allah. The manner in which they have sieved through the *isnads* is a matter worthy of praise and admiration. There are also *fuqaha'* who have studied the texts and removed all those which are aberrant and faulty. Judging whether texts are sound demands knowledge of the Noble Qur'an and a comprehensive grasp of its various forms of evidence, as well as knowledge of the various transmissions, to enable comparison between them to be made. Then the work of the *fuqaha'* completes the work of the *hadith* scholars and protects the *Sunna* from any imbalance that might admit

confusion or negligence. The *Sunna* elucidates many rulings from the Noble Qur'an. The sound famous *hadiths* contain information which explains what is general and undefined in the Book of Allah. It also contains many of the sub-judgements that pre-occupied the schools of *fiqh* after they agreed on the *Sunna* as being the second source of judgement.

A *hadith* can be sound in *isnad* but weak in text when the *fuqaha'* discover a hidden fault in it. The discovery of an aberration or fault in the text of a *hadith* is not only the prerogative of scholars of the *Sunna*. Scholars of *tafsir*, *usul*, *kalam*, and *fiqh* are also responsible for that. Sometimes their responsibility is more than that of others.

Ibn Hajar, the commentator on the *Sahih* of al-Bukhari, produced *Fath al-Bari*, a book about which the scholars correctly state, "There is no *hijra* after *al-Fath*." In spite of his eminence in the sciences of the *Sunna*, he gave his backing to the *hadith* of the cranes and gave the green light for it, which has caused problems for many people in both their *deen* and this world. The *hadith* mentioned was forged by the *zindiqs*, and well-versed scholars are aware of that.

Muhammad ibn 'Abdu'l-Wahhab was among those deceived by this and put it in the biography which he wrote about the Messenger of Allah, may Allah bless him and grant him peace, and yet he was one of those who jealously defended the doctrine of *tawhid*. Then the Indian scoundrel, Salman Rushdie, relied on this false *hadith* for the name of his book, *The Satanic Verses*. Is it not the duty of scholars of *kalam*, *fiqh* and *tafsir* to fight this filth? The guardians of the sound *Sunna* reject this base *hadith*.

Shaykh al-Albani issued a correction of the *hadith*, "The flesh of cattle is an illness." All those who study the Noble Qur'an will know that the *hadith* has no merit, whatever its *isnad*! Allah Almighty says in two places in his book that the flesh of cattle is permitted and a boon to people, so how can it be an illness? Allah says in *Surat al-An'am*, *"And also animals for riding and for haulage and animals for slaughtering and for wool. Eat what Allah has provided for you and do not follow in the footsteps of Shaytan. He is*

your clear-cut enemy." (6:142) He says: *"There are eight in pairs: a pair of sheep and a pair of goats,"* (6:143) and then says, *"and a pair of camels and a pair of cattle..."* (6:144). So where is the place for illness in these forms of meat which are all permitted? In *Surat al-Hajj*, He says, *"We have appointed the sacrificial animals for you as one of the sacred rites of Allah. There is good in them for you, so mention Allah's name over them, standing in rows. And then when they collapse on their sides, eat of them and feed both those who ask and those who are too shy to ask. In this way We have made them subservient to you so that perhaps you may be thankful."* (22:36) "Sacrificial animals" are camels, cattle and oxen, so where is the illness in them?"

The problem with some of those who are preoccupied with *hadiths* is their failure to study the Qur'an and understand its judgements. How can they be proud when there is this failure? Why do they begrudge other men of vast Islamic learning discovering a fault here or aberration there? Mutual help in mastering the inheritance of the Prophet is desirable and the texts of prophetic *hadiths* provide the bases of theological doctrine, acts of worship and patterns of behaviour which the scholars of logic and transmission are both interested in. The *hadiths* deal with affairs concerning calling people to Islam, in both war and peace. Why should scholars of these important areas be less than exigent in their examination of the transmitted texts? What is the value of a sound *isnad* with a weak text? There are thousands of *hadiths* free of faults and any aberration recorded in the collections of the *Sunna*, so it is far better and more fitting for the *fuqaha'* and *hadith* scholars to work together in analysing the small number of others that remain.

In our time, however, there are evil young men who attack the imams of *fiqh* under the pretext of defending the *hadiths* of the Prophet, although the *fuqaha'* never abandoned the *Sunna* nor did they undervalue any *hadiths* whose attribution and text is sound. All that they do is to uncover faults in some transmissions and refute them according to the approved scholarly method and, by doing so, guide the community to truer words and a

straighter path. In following this method they emulate the Companions and *Tabi'un*. Look at the position of 'A'isha, peace be upon her, when she heard the *hadith* that a dead person is punished for his family's weeping for him. She rejected it and swore that the Messenger had not said it. In clarifying her denial of it, she said, "So where do you stand in respect of the words of Allah, *'No burden-bearer bears the burden of another'*? (6:164)" She rejected that which was contrary to the Qur'an with boldness and confidence. In spite of that, this *hadith* rejected by 'A'isha is still confirmed in some collections.

In the *Tabaqat*, Ibn Sa'd repeats it with weak *isnads*. He says: "Thabit reported to us from Anas ibn Malik that when 'Umar ibn al-Khattab was stabbed, Hafsa wailed. He said, 'Hafsa, did you not hear the Prophet, may Allah bless him and grant him peace, say, "The one who is wailed for is punished"?' Suhayb wailed and 'Umar said, "Suhayb, do you not know that the one who is wailed for is punished?"'"

He says: "Ibn 'Awn reported to us that Muhammad said, 'When 'Umar was wounded, he was carried into the house and Suhayb said, "O my brother!" 'Umar said, "Bother you, Suhayb! Do you not know that the one who is wailed for is punished?"'"

He says: "Abu 'Aqil reported to us from Muhammad ibn Sirin who said, "Umar ibn al-Khattab was brought a drink after he had been stabbed and it came out of his wound. Suhayb said, "O Umar! O my brother! who will we have after you?" 'Umar told him, "Shame, my brother. Are you not aware the one who is wailed for will be punished?"'"

He says: "'Ubaydullah ibn 'Amr reported to us from 'Abdu'l-Malik ibn 'Umayr from Abu Burda from his father: 'When 'Umar was stabbed, Suhayb came weeping, raising his voice. 'Umar said, "Is it for me?" He said, "Yes." 'Umar said, "Do you not know that the Messenger of Allah, may Allah bless him and grant him peace. said, 'Whoever is wept for will be punished'?"'"

'Abdu'l-Malik said, "Musa ibn Talib reported that 'A'isha said 'Those whose weeping punishes their dead are unbelievers.'"

That which 'A'isha affirmed is that the Messenger, may Allah bless him and grant him peace, said, "The unbeliever is punished by his family's weeping for him."

Ibn Abi Mulayka said, "A daughter of 'Uthman died in Makka and we came to attend to her. Ibn 'Umar and Ibn 'Abbas were present and I was sitting between them. 'Abdullah ibn 'Umar said to 'Amr ibn 'Uthman, 'Will you not forbid the women to weep? The Messenger of Allah, may Allah bless him and grant him peace, said, "A dead person is punished by the weeping of his family for him."' Ibn 'Abbas said, "Umar used to say something like that and when he died, I mentioned it to 'A'isha and she said, "May Allah have mercy on 'Umar! By Allah, the Messenger of Allah, may Allah bless him and grant him peace, did not say that a dead person is harmed by his family's weeping for him, but the Messenger of Allah reported that Allah will increase the punishment of an unbeliever by his family's weeping for him." She said, "The Qur'an is enough for you: *'No burden-bearer bears the burden of another.*'"

Upon hearing that, Ibn 'Abbas remarked, "Allah is the One who makes people laugh and makes them weep," meaning that weeping of those who are bereft is natural and there is nothing wrong with it and no blame for it. Ibn Abi Mulayka said, "By Allah, Ibn 'Umar did not say anything!" Indeed an error is not impossible for a narrator, even if he is as venerable as Ibn 'Umar.

I think that that method which the *Umm al-Mu'minin* 'A'isha followed is that of bringing the sound *hadiths* into line with the text of the Noble Qur'an which *"falsehood cannot reach from before it or behind it."* (42:42) For that reason, the Imams of Islamic *fiqh* issue judgements based on *ijtihad*, relying first and foremost on the Qur'an. When they find among the transmissions something which is in harmony with the Qur'an, they accept it. Otherwise, it is more fitting to follow the Qur'an.

Some reply to all of that that the meaning of a dead man being punished by the weeping of his family for him is that the dead person is punished, i.e. 'distressed', not that Allah will punish him. It is a subtle interpretation and if we accept it, the

hadith is not in conflict with the Noble Qur'an. But there are difficulties with this interpretation. One of them is that 'A'isha swore that the Messenger of Allah, may Allah bless him and grant him peace said, "Allah will increase an unbeliever's punishment by the weeping of his family for him," and made no mention of the believers! It might be asked, "Why should an unbeliever be punished for what he did not do? Is that not injustice?" The answer is found in the words of the Almighty, *"So on the Day of Rising they will carry the full weight of their own burdens and some of the burdens of those they misguided without knowledge. How evil is what they bear!"* (16:25) The punishment of an unbeliever is only increased because he was a reason for the misguidance of others.

The statement that a believer is distressed after death by the weeping of his family is contrary to the *ayat*: *"The angels descend on those who say, 'Our Lord is Allah,' and then go straight: 'Do not fear and do not grieve but rejoice in the Garden you have been promised.'"* (41:30) Ibn Kathir related that that takes place at the time of death. It is transmitted from Zayd ibn Aslam, "They give him good news when he dies, in the grave and when he is resurrected." So this statement embraces all positions and it is very good indeed and it is the actual fact. How could someone be punished in these circumstances? Allah gives him tranquillity regarding both what he has left behind and what he is going to encounter. Allah also gives good news to the martyrs that those they left behind will join them in good: *"...rejoicing over those they left behind who have not yet joined them, feeling no fear and knowing no sorrow."* (3:170)

We do not encourage calling a *hadith* weak when it may be sound but we do encourage dealing with *hadiths* within the context of the evidence of the Qur'an, whatever that may be. A single *hadith* may lack soundness on account of aberration or an impairing fault, even if its *isnad* is sound. For instance, Abu Hanifa considered that if any individual among us fights and kills an unbeliever who is not a *dhimmi*, that is the end of the matter. But if the unbeliever is a *dhimmi*, his killer is subject to retalia-

tion. By saying this he rejects the *hadith* that a Muslim should not be killed in retaliation for a unbeliever, despite the fact that its *isnad* is sound, because its text is faulty insofar as it opposes the text of the Qur'an, *"a life for a life."* (5:45) and the words of Allah after that, *"So judge between them by what Allah has sent down."* (5:48) and *"Do they then seek the judgement of the Time of Ignorance?"* (5:50)

Upon reflection, we see that the Hanafi judgement is in fact closer to justice and affirmation of the rights of man and respect for human life, whether white or black, or free or slave, or unbeliever or unbeliever. If a philosopher kills a street sweeper, his life should still be forfeit on that account. A life for a life. The rule for dealing with those who have a different *deen* from us but who are part of the same society is that they have what we have and owe what we owe. So why should the life of someone who kills one of them be spared? I heard that a Bedouin had killed an American engineer in one of the Gulf states and the people of *hadith* stated that retaliation was not permitted. The government felt constricted but then resolved the situation by executing the criminal using political expediency as a justification.

Retaliation is the law of Allah. It is the literal text of the Noble Qur'an. The Hanafis favour the clear text of the Qur'an over a single *hadith* and the Malikis favour the action of the people of Madina over a single *hadith*, considering that the action of the people of Madina is more indicative of the *Sunna* of the Prophet than a *hadith* reported from a single transmitter. Malik made the matter of retaliation a secondary branch, subject to the basic principle of murder, in the case of a father deliberately murdering his own child, when he set aside the *hadith* which forbids such retaliation even though its *isnad* is sound.

The people of *hadith* consider the blood money of a woman to be half that of a man but many scrupulous *fuqaha'* reject this illogical and immoral judgement. Blood money in the Qur'an is the same for both men and women. The claim that the blood of a woman is worth less and that her right is less is a false claim

contradicted by the clear text of the Book. A man is killed for a woman as a woman is killed for man. Their blood is agreed to be the same. So what makes one blood money less than another? Professor Ma'ruf ad-Duwalibi mentioned that when he took part in setting out the laws in Pakistan on the basis of the Islamic *Shari'a*, he made the blood money for a man and woman equal, preferring that opinion and basing it on the method of 'Uthman ibn 'Affan who gave the *dhimmi* full blood money even though it was meant to be half that of a Muslim. The professor remarked, "We forestall those who accuse Islam of demeaning women."

The method followed by the third of the Rashidun Khalifs indicates that it is possible to change when circumstances change. Since it was clear that the people of the *dhimma* had formed a sincere part of Islamic society 'Uthman thought it best to accord them security in their position by increasing their blood money. Hanafi *fiqh* considers all blood money and blood the same.

I have pondered the reason why Hanafis and Malikis dislike praying two *rak'ats* to greet the mosque when the imam is speaking although there is a *hadith* which appears to recommend it. After I reflected a little, I saw that the *khutba* for *Jumu'a* was prescribed immediately after the *Hijra* and the Muslims continued to pray in a group behind the Prophet, peace and blessings be upon him, for ten years. So there must have been something like five hundred *khutbas* given during this period. Where are they? The *hadith* scholars do not neglect recording any passing word, specific *fatwa* or answer to a question, so how could they overlook these *khutbas*? Nonetheless, the *khutbas* they recorded number less than the fingers of one hand!

The fact is that the Prophet, may Allah bless him and grant him peace, used to address people by frequently quoting the Noble Qur'an. When he was on the minbar or in the *mihrab* reciting Allah's Book, everyone was silent and reflective. It was inconceivable that anyone would be distracted from him by private recitation or prayer, particularly in view of the divine directive: *"When the Qur'an is recited listen to it and be quiet so that per-*

haps you may gain mercy." (7:204) So the *Sunna* is to listen to the *khutba*. The *hadith* containing the instruction to greet the mosque is something particular to the man mentioned in it. The *sunna* which was in fact acted upon continued to forbid speech and prayer during the *khutba*. Malik declared such a prayer invalid. How could the author of the *Muwatta'* be suspected of opposing a firm *sunna*?

We will move from the case of the *khutba*, which is simple, to an important question which has great weight, although we do not want to discuss it as an issue of dogma: Who brought down the Qur'an to the conveyer of the Immense Message, Muhammad ibn 'Abdullah? The Muslims, both elite and common, say that it was the Trustee of the Revelation, the angel Jibril. This statement is not a speculation derived from an unknown source. It derives from multiple transmissions in both the Book and the *Sunna*. I will mention five places in the Qur'an which confirm this fact:

- *"Say, 'Anyone who is an enemy to Jibril should know that it was he who brought it down upon your heart, by Allah's authority, confirming what came before, and as guidance and good news for the believers.'"* (2:98) This is clear evidence.
- *"Say: 'The Purest Ruh has brought it down from your Lord with truth, to make those who believe firm, and as guidance and good news for the Muslims.'"* (16:102) The Purest *Ruh* is Jibril. He is a slave of Allah and not a god as some imagine.
- *"Truly it is the Sending-down of the Lord of all the worlds. The Faithful Ruh brought it down to your heart so you could be one of the Warners in a clear Arabic tongue. It is certainly in the scriptures of the earlier peoples."* (26:192-196) It is evident that the one who brought down the Revelation was the Faithful *Ruh*; that the noble Messenger began to teach people and call them after he received this blessed Revelation.
- Allah Almighty swore on the immensity of this Qur'an, say-

ing, *"It truly is the speech of a noble Messenger, possessing great strength, securely placed with the Lord of the Throne, obeyed there, trustworthy."* (81:10–21) We see here a number of qualities of the Trustee of the Revelation, who is a noble messenger with strength. He has a position with the Lord of the Throne and is obeyed in its place and is trustworthy. These qualities resemble what we find in *Surat an-Najm* and we will consider it in the last quotation.

- *"It is nothing but Revelation revealed, taught him by one immensely strong, possessing power and splendour. He stood there stationary – there on the highest horizon. Then he drew near and hung suspended. He was two bows'-lengths away or even closer. Then He revealed to His slave what He revealed."* (53:4–10) The strong one, who knew the Revelation and descended with it to the lowest heaven and hovered with it around in the earth's atmosphere and then brought it to the Arab Mes-senger was Jibril without any doubt. This is the only conceivable possibility regarding this and all the other *ayats* of the entire Qur'an.

Nonetheless among transmitted *hadiths* with a single path there is a rare transmission that it was Allah who came near and descended. The transmission is contrary to the definite *mutawatir* texts of the Book and *Sunna*. Therefore those who are careful pay no attention to it. It was left where it was until some of those who are weak in understanding came and revived it without comprehension. I cannot stand those people who have very little understanding of the Qur'an but who spend much time investigating *hadiths*, who then issue judgements and *fatwas* on the strength of that, thus increasing the Community in confusion and disorder. Once again I warn the Community against people who have little insight into the Qur'an but issue bold words about Islam; they all rely on transmissions that have no proper place in the Islamic ethos which embraces all of life's affairs.

Imam Muslim, may Allah be pleased with him, came and added to the transmission of Imam al-Bukhari and clarified the fault in that particular transmission; he stated that the error had come from Sharik from Anas ibn Malik, who mentioned the *hadith*. Sharik added and omitted and altered the order in things he transmitted. Muslim followed the method of the *hadith* scholars and criticised the action of Sharik, the transmitter from Anas and then quite rightly rejected that transmission.

The error in the explanation of that *ayat* of *an-Najm*, and the claim that it means: "The All-Compelling Lord of Might came near and descended" provoked the objection of 'A'isha, may Allah be pleased with her. When Masruq asked her, "Mother, did Muhammad see his Lord?" she replied, "My hair has stood on end at your words! Were you one of those there? Whoever related it to you has lied! Whoever related to you that Muhammad saw his Lord has lied!" Then she recited, *"Eyesight cannot perceive Him but He perceives eyesight. He is the All-Penetrating, the All-Aware."* (6:103) and *"It is not proper for Allah to address any human being except by inspiration, or from behind a veil..."* (42:51) She said, "Whoever says that he knows what will happen tomorrow has lied!" Then she recited. *"And no self knows what it will earn tomorrow and no self knows in what land it will die."* (31:34) She said, "Whoever tells you that Muhammad concealed anything has lied!" Then she recited, *"O Messenger! Deliver what has been sent down to you from your Lord..."* (5:67) but he saw Jibril in his actual form twice.

The *Umm al-Mu'minin* 'A'isha was a *faqiha*, an expert in *hadith* and the Arabic language. She stopped at the texts of the Qur'an and refused to go beyond them. When she heard that the Prophet, may Allah bless him and grant him peace, had stood at the edge of the well in which some idolaters were buried, calling out their names, she made a comment worthy of consideration. It is related that the Prophet, may Allah bless him and grant him peace, went with some of his Companions and stood at the edge of the well and began to call them by name: "Are you happy that you obeyed Allah and His Messenger? We

found what our Lord promised us to be true. Have you found what your Lord promised you true?" 'Umar asked, "Messenger of Allah, what can bodies without spirits say?" He replied, "By the One who has the soul of Muhammad in his hand, your hearing of what I say us no better than theirs."

'A'isha disliked the words, "Your hearing of what I say is no better than theirs," taking as evidence the *ayat*, *"but you cannot make those in the grave hear."* (35:22) Even so the transmission of "Your hearing of what I say us is no better than theirs" is sound. Qatada explained and defended the first transmission. He said: "Allah brought them to life so that they could hear the words of rebuke and degradation." My opinion is that the first transmission does not require this defence. The dead do not cease to exist and the voice of the Prophet reached them while they were in Sijjin. But 'A'isha did not accept something which contradicted the literal words of the Qur'an. Normally the dead do not speak or hear but Allah can inform them of anything He wishes. When they know, it is as if they hear. The expression is acceptable as a metaphor.

What we want is for people to be very aware of the expressions and meanings of the Qur'an at a time when a vast number of the adherents of *hadith* ignore them because they are involved in their affairs in a way which makes them unable to taste the Revelation. When the exacting *fuqaha'* want to study a topic, they assimilate everything about it in both the Book and *Sunna* and they judge what is probable and what is definite and try to harmonise all the various pieces of evidence. As for deriving a ruling from a solitary *hadith* and turning away from other traditions which they have concerning the subject at hand, that is not the way true scholars behave.

The *fuqaha'* throughout our scholarly history have been the leaders trusted by the Community, which has always surrendered leadership to them with contentment and tranquillity. The task of the adherents of *hadith* has always been to offer the traditions they transmit in the same way that a builders' merchant offers building materials for the construction of a house to the archi-

tects who actually build it who, in the case of the house of Islam, are the *fuqaha*. The fact is that both groups need one another. There is no *fiqh* without *Sunna* and no *Sunna* without *fiqh*. The greatness of Islam is achieved by this mutual co-operation. Trial occurs when one of the two is deluded by what they have and becomes obstinate and lacking in insight.

In Algeria one of the *ahl al-Hadith* issued a *fatwa* which we strongly fought before a grave injury was inflicted on Islam and its people. Merchants pay *zakat* on their goods and seek to draw near to Allah by doing so. In this world merchants are the masters of property. Indeed, England conquered the Indian sub-continent by means of a trading company. Economic colonialism continues to control the arenas of trade so that peoples are still subjugated through it. How can anyone claim that there is no *zakat* on trading goods? How are we to do away with the words of the Almighty, *"O you who believe! Give away some of what We have provided for you before a Day arrives on which there is no trading, no close friendship and no intercession"* (2:254) and *"who give of what We have provided for them"* (2:3) and *"O you who believe! Give away some of the good things you have earned and some of what the earth produces for you"* (2:267)?

This young man in Algeria, however, who was ignorantly preoccupied with the *hadith* of the Prophet, proclaimed to the people, "There is no *zakat* on trade goods since it has no basis in what I have read. Furthermore, *zakat* in respect of agricultural produce can only be taken from wheat, barley, dates and raisins" – as if the terrestrial globe consisted only of Najd, Tihama and the Hijaz. This incompetent *mufti* restricted the taking of *zakat* to the tenth paid on those crops only and absolved merchants and all farmers who grow other crops from paying *zakat* altogether, thus basically annulling one whole pillar of Islam. And he did this at a time when the Christian Church is collecting the wealth of many merchants and farmers in its efforts to convert the Islamic world which is unfortunately not only suffering from physical drought but mental drought as well!

Why do we not reflect first on the Qur'an so that we know

the dimensions of the responsibility with which Islam charges us and the items of property from which *zakat* is taken? And why do we not also recognise the nature of this world in which we live and the means which our enemies employ to win their battles against us? There is no *fiqh* when there is no understanding of the Book and *fiqh* also entails understanding of life itself. Many of those who are preoccupied with *hadith* find it difficult to study the Qur'an and examine its evidence. It is easy to listen to a *hadith* and then take a judgement from it with one result that people and whole nations are made wretched.

At this point I would like to reaffirm that there is no disagreement among the Muslims with regard to the Messenger of Allah, may Allah bless him and grant him peace, about acting according to what is soundly narrated from him, provided that the principles of deduction which the Imams set out and which the Community accepts have all been employed. When a transmitted report possesses all the confirmed aspects which scholars agree entails soundness, there is no reason to reject it. When there is respectable disagreement about whether these conditions are fulfilled, then there is leeway in the matter, and it is possible that there are aspects which can be viewed differently. Disagreement here has no connection to unbelief or belief or to obedience or disobedience.

While I was in Algeria a student asked me, "Is it true that Musa, peace be upon him, knocked out the eye of the Angel of Death when he came to take his soul after his term of life was complete?" I was vexed and told the student, "What use is this *hadith* to you? It is not relevant to doctrine nor to action! Today the Muslim nation is being ground down and its enemies are eager to suffocate it! Occupy yourself with what is more important." The student said, "I want to know whether this *hadith* is sound or not," so I finally told him, "The *hadith* is transmitted from Abu Hurayra and there is some argument about its soundness."

I began to think: this *hadith* has a sound *isnad*, but its text

provokes doubt since it says that Musa rejected death and did not want to meet Allah when the end of his lifespan arrived. This idea must be entirely rejected where the righteous servants of Allah are concerned, as another *hadith* states: "Whoever wants to meet Allah, Allah wants to meet him," so how much more must that be the case with the Prophets of Allah! For this reason Musa's disliking death after the angel came to him appears very anomalous. And are the angels subject to human defects like being blind or one-eyed? That is highly unlikely. I said to myself, "Perhaps the text of the *hadith* is faulty? Whatever the case, there is no reason to expend much thought on it." When I looked at the *hadith* in one of its sources, I was annoyed to find that the commentator considered rejection of the *hadith* tantamount to heresy. He proceeded to refute the doubts mentioned in respect of it in a manner which only strengthened them. First let us examine the *hadith* itself:

Abu Hurayra reported that the Messenger of Allah, may Allah bless him and grant him peace, said, "The Angel of Death came to Musa, peace be upon him, and said, 'Respond to your Lord.' Musa, peace be upon him, punched the Angel of Death in the eye and knocked it out. So the angel returned to Allah Almighty and said, 'You sent me to a slave of Yours who does not want to die and he has knocked out my eye.' Allah restored his eye to him and said, 'Return to My slave and ask him, "Do you want life? If you want life, place your hand on the back of an ox and you will have a year for every hair your hand covers."' He said, 'Then what?' 'Then you will die,' he said. He said, 'The time is near. Allah, make me die a stone's throw from the Holy Land.'" The Messenger of Allah, may Allah bless him and grant him peace then said, "By Allah, if I were with him, I would show you his grave beside the road at the Red Dune."

Al-Mazari said, "Some heretics reject this *hadith* and deny what it describes. They say, 'How could Musa knock out the eye of the Angel of Death?' Scholars give various replies to this question. One is that it is not impossible that Allah Almighty gave Musa permission for this blow and it was a test for the one

struck. Allah Almighty does whatever He wills in His creation and gives them whatever He wishes. The second is that this is a metaphor. What is meant is that Musa debated with him, argued and overcome him with argument. One uses this metaphor when someone is defeated by proof. It said that a thing is one-eyed when there is a loss in it. The third answer is that Musa did not know that it was a angel from Allah; he thought that he was a man who wanted to kill him and he defended himself which led to knocking the eye out. It was not intentional. This is the response of Imam Abu Bakr ibn Khuzayma and other early scholars, and the preferred view of Qadi 'Iyad. They said, 'There is no clear statement in the *hadith* that he intentionally knocked out his eye. If it is noted that Musa recognised that he was the Angel of Death when he came the second time, the answer to that is that he came to him the second time with a sign which showed that he was the Angel of Death and so Musa submitted, which was not the case in the first time.'"

We say that this entire defence is weak. It is a silly defence which is inadequate. Anyone who accuses someone of heresy for denying the *hadith* is careless of the honour of Muslims. The truth is that the text contains an impairing fault which makes it less than sound. Its acceptance or rejection is a matter of intellectual dispute, not a dispute involving dogma. The fault in the text was noted by exacting scholars but is hidden from people of superficial thought. I heard some sharp words from those who think that Musa truly knocked out the eye of the Angel of the Death and this is not unusual.

Before I mention my view, I wish to mention the *hadith* in Ahmad reported from Anas: "The Messenger of Allah, may Allah bless him and grant him peace, said, 'Whoever wants to meet Allah, Allah wants to meet him, and whoever hates to meet Allah, Allah hates to meet him.' We said, 'Messenger of Allah, we all hate death!' The Messenger of Allah, may Allah bless him and grant him peace, said, 'It is not a question of hating death. When a Muslim is dying, a herald comes to him from Allah Almighty telling him about what he is going to and there

is nothing which could be dearer than meeting Allah Almighty and so he longs to meet Allah. When an impious person or unbeliever is dying, the warner comes to him telling him about the evil he is going to or the evil he will meet and so he does not want to meet Allah and Allah does not want to meet him.'"

This *hadith* ignores ordinary conditions of health and people's involvement in their daily lives of harvesting, working and commerce. There is no objection to them welcoming life and when death comes, it might well be described as a misfortune. The basis and civilisation of this world only comes from this awareness of life and love of it. However, a believer will cast aside the life of this world in a moment to make his *deen* victorious and meet his Lord on that basis. Thus even if he is involved in the affairs of this world, he never forgets his *deen* and does not recoil from meeting his Lord. The *hadith* of Ahmad ibn Hanbal overlooks all these circumstances to explain the final instants of the life of the dying person when he is on his deathbed or at the brink of the Next World, and the Angel of Death is about to return the soul to its Creator. It is at this time that the good news comes which transports the believer with joy or the news which makes the impious sink with grief.

Let us now examine at the *hadith* about Musa knocking out the eye of the Angel of Death in the light of these facts. If the angel had told Musa, "Respond to your Lord," meaning "Your life has ended, so prepare to surrender your soul and return to Your Lord," why should this grieve Musa? Those who defend the *hadith* say that Musa, like all people, hated death. We reply, "Dislike of death is understood in normal circumstances for normal people but it has no sense at the end of someone's lifespan when the angel comes to take back the trust. Why would Musa dislike the unavoidable meeting to the extent that this dislike was transformed into the anxiety and anger which caused Musa to knock out the eye of the angel as is said! Those who defend the *hadith* say that Musa knocked the eye out of the form that the angel took because he came in the form of a human being; but that is refuted by what one *hadith* says about Allah restoring his

eye to him.

The real point is that this *hadith* and those like it have no relevance to doctrine or conduct which would make it important for the practical teachings of Islam. So why do people delve into it, distract others with it and ascribe heresy to those who hesitate to accept it? The enemies of the Islamic Resurgence are behind this pointless exercise. The imams of *hadith* reject the soundness of its *isnad* and fault its text, and so by these shortcomings it fails to meet the preconditions of soundness.

In a similar vein, we think that something transmitted by Thabit from Anas is strange. A man was suspected being involved with the *umm walad* of the Messenger of Allah, may Allah bless him and grant him peace, and the Messenger of Allah told 'Ali, "Go and strike his neck." 'Ali came to the man while he was cooling himself in a well. 'Ali told him to come out. He took his hand and pulled him out and found that he was castrated and had no penis. So 'Ali left him and then went back to the Prophet, may Allah bless him and grant him peace and said, "Messenger of Allah, he is castrated and has no penis."

It is impossible that the Prophet would order a man to be killed for an unproved suspicion or that he would pass sentence on an accused man without hearing his defence. Indeed, time showed that the accusation was false! An-Nawawi tried, may Allah forgive us and him, to justify this judgement and said, "Perhaps the man was a hypocrite who deserved to be killed for another reason." We said, "When did the Messenger of Allah command that hypocrites be killed? When did that happen? He forbade it!" It is clear from the context that the man was saved from execution after the defect which rendered the accusation impossible became clear. Would he have been killed if he had been sound? This is something which the fundamentals and subbranches of Islam reject. The *hadith* has an impairing fault which is enough to remove the ascription of soundness from it. The people of *fiqh* and not the people of *hadith* are those who reject these transmissions.

Another area which requires sound understanding is the pro-

hibition of announcing deaths and condemnation of the obituaries which newspapers publish. Some students came to me and said that they had read *hadiths* that state that such things are forbidden. Therefore they objected to any announcement of people's deaths. I told them, "The disliked announcement is one which involves mentioning feats and exploits and extols individuals and their families. There is nothing wrong with it when that is not present. Indeed, it is necessary."

They said, "What is related by at-Tirmidhi and Ibn Majah contradicts what you say! Hudhayfa is reported to have said when he was dying, 'When I die, do not inform anyone. I fear that there will be an announcement of my death and I heard the Messenger of Allah forbid the announcement of death.'" This is what at-Tirmidhi related. Ibn Majah confirmed the transmission, but said, "When Hudhayfa was dying, he said, 'Do not tell anyone. I fear that there will be an announcement of my death. With my own ears I heard the Messenger of Allah, may Allah bless him and grant him peace, forbid the death announcement.'" 'Abdullah ibn Mas'ud reported that the Messenger of Allah, may Allah bless him and grant him peace forbade the death announcement. He said, "Avoid the death announcement. It is an action of the *Jahiliyya*." We assert that the forbidden announcement is one which involves showing off and revives disobedience to Allah. As for simple information, it is impossible to dislike it.

There are a huge number of *hadiths* propagated among young men at this time and they deduce bad rulings from them. Even if we accept their *isnads* in spite of their uncertainty, it is not valid to accept their texts. 'Umar and the people with him occupied themselves with the Noble Qur'an. He commanded the armies he sent out to devote themselves to it. One of his decisions in which he relied on the Qur'an alone is related by Ibn Ishaq. He said, "I was sitting with al-Aswad ibn Yazid in the Great Mosque when ash-Sha'bi was with him. He related the *hadith* of Fatima bint Qays that the Messenger of Allah, may Allah bless him and grant him peace, did not give her a dwelling or any maintenance

when she had been finally divorced. Al-Aswad took a handful of pebbles and threw them. Then he said, 'Bother you! Do you relate the like of this!' 'Umar said, 'We do not leave the Book of our Lord and the *Sunna* of our Prophet for a woman when we do not know whether she remembered or forgot. She is entitled to a dwelling and maintenance. Allah Almighty says, *'Do not evict them from their homes, nor should they leave, unless they commit an outright indecency.'*" (65:1)

This *hadith* of Fatima is a source of disagreement among the *fuqaha'*. The Hanafis reject it while the Hanbalis accept it. The Malikis and Shafi'is think that a woman who has been divorced three times has a dwelling but no maintenance. The Hanbalis say the context of the *ayat* which 'Umar mentioned is a revocable and not a final divorce. The case can be studied in its sources, but what we note in it is the fact that 'Umar made the literal text of the Qur'an the *Sunna* which is followed in this instance.

As we preferred strong opinion to doubtful transmission in the examples we cited, we are deeply surprised to see those who abandon both transmission and *fiqh* in some rulings. *Hadith* scholars agree that the Messenger of Allah, may Allah bless him and grant him peace, said, "A widow cannot be married until she gives her command nor is a virgin married until she is asked for her permission." They asked, "Messenger of Allah, what is her permission?" He replied, "That she is silent." In one version, "A non-virgin is more entitled to dispose of herself than her guardian, and a virgin should be asked; and her permission is her silence."

Ibn 'Abbas reported that a virgin went to the Prophet, may Allah bless him and grant him peace and told him that her father had given her in marriage against her will: the Messenger of Allah gave her a choice in the matter. According to one variant, "A girl came to 'A'isha and said, 'I have been forcibly married to my cousin.' 'A'isha said, 'Sit until the Messenger of Allah comes.' The Messenger of Allah, may Allah bless him and grant him peace, came and she told him what had happened. He summoned her father and let her decide concerning the matter. She

said, 'Messenger of Allah, I allow what my father has done, but I wanted to inform women that their fathers have no authority over them.'" In spite of this, the Shafi'is and Hanbalis allow a father to compel his adult daughter to marry someone she dislikes.

Chapter Two
The World of Women

The Battle of the Veil

We are keen to see two things in the contemporary Islamic revival. The first is distance from those errors which might cause the Community to deviate and lose its spirit which is something which its enemies long for. The other is to give a true picture of Islam, the sight of which will cause people to look at it with admiration and eradicate ancient doubts and do justice to Divine Revelation. For this reason I am saddened to find that some of those who represent this revival fail to achieve either object. On the contrary, they succeed in making people afraid of Islam and giving its opponents the opportunity to unleash their criticism of it.

Let us look at some of the battles which such people have provoked or the principles which they thought they should articulate. We will begin with the "Battle of the Veil". I once read a booklet in one of the Gulf states in which the author said, "Islam forbids fornication. Since uncovering the face is something which might lead to it, it is unlawful since disobedience may result from it." My reply was: Islam obliges the face to be uncovered in the *hajj* and it is customary to have it uncovered in all the prayers. Would this uncovering in two of Islam's fundamental practices be permitted if it provoked the appetites and paved the way to crime? This reasoning is misguided. The Prophet, may Allah bless him and grant him peace, saw women's faces uncovered in the *'Ids,* in mosques and in the markets. It is

not related from him that he ever instructed that they should be covered. Are you more jealous of the *deen* and honour than Allah and His Messenger?

Let us look at the Book of Allah and the *Sunna* of His Messenger for the details of this matter.

- If faces are covered, then why are the believers supposed to lower their eyes, as they are instructed in the noble *ayat*: *"Say to the believing men that they should lower their eyes and guard their private parts. That is purer for them..."* (24:30) Do they lower them to prevent them from looking at women's backs? Lowering the eye occurs when a man happens to look at a woman's face and sees something attractive in her, in which case he must not look again, as the *hadith* states. The Messenger of Allah, may Allah bless him and grant him peace, told 'Ali, "'Ali, do not let one glance follow another. You may have the first but not the second."

- The Prophet, may Allah bless him and grant him peace, saw that the desire of some people could be provoked by a sudden glance. When that happens, the instruction is for a married man to make do with what he has, as Jabir reported from the Prophet: "When one of you sees a woman and admires her, he should go to his wife. That will repel what is in his self. If he has no wife, then heed the words of the Almighty, *'Those who cannot find the means to marry should be abstinent until Allah enriches them from His bounty'*" (24:33) Qadi 'Iyad reported from the scholars of his time, as ash-Shawkani did also, that a woman is not obliged to cover her face when she walks in the street, and it is the responsibility of men to lower their glance as Allah has commanded.

- In one of the *'ids*, the Prophet may Allah bless him and grant him peace, addressed the women when, following his instructions, the men and women were together in the prayer-place of the *'id*. He told them: "Give *sadaqa*. Most of you will be the fuel of Hellfire." A woman with brownish

cheeks who was sitting in the middle of the women asked, "Why are we as you describe?" He said, "Because you complain a lot and are ungrateful to your husbands," meaning that women often deny the right of the husband and do not acknowledge what he spends on the household so that all that is heard from them are complaints. The transmitter says, "They began to give their jewellery as *sadaqa*, throwing their rings and bracelets into Bilal's garment."

The question is: how did the transmitter know that the woman had brownish cheeks? The colour of someone's cheeks can only be known when the face is uncovered. Another version says, "I saw the women when their hands were throwing the jewellery into Bilal's garment." So neither the face nor the hand can be considered a private part.

- Some people say that the command to uncover the face in the *hajj* or the prayer means that the face must be covered elsewhere and the women must wear a veil and gloves. We reply: does the fact that Allah commands the *hajjis* to bare their heads in *ihram* mean that it is obligatory for heads to be covered outside of *ihram*? Who states that? Whoever wishes to cover his head does so and whoever wishes to uncover it does so.

- Sahl ibn Sa'd reports that a woman came to the Messenger of Allah, may Allah bless him and grant him peace and said, "Messenger of Allah, I came to give myself to you." The Messenger looked at her and then he lowered his head without giving any answer. When she saw that he did not decide anything about her, she sat down. In another transmission one of the Companions who had nothing to give as a dowry proposed to her. The Prophet told him, "Look for something, even if it is only an iron ring," The story ended in his marrying her. The point is: how could he look at her if she was veiled?

- Ibn 'Abbas reported that al-Fadl was riding behind the Messenger of Allah, may Allah bless him and grant him peace, and a woman of Khath'am came to ask him something and al-Fadl began to look at her and she looked at him. The Messenger of Allah, may Allah bless him and grant him peace, turned al-Fadl's face away from her. She said, "Messenger of Allah, Allah has made the *hajj* obligatory for His slaves. My father is a very old man who cannot ride; can I perform *hajj* on his behalf?" "Yes," he replied. That was in the Farewell *Hajj*, and so no abrogating *hadith* came after it.

- 'A'isha said, "The believing women attended the *Fajr* prayer with the Prophet, wrapped in their mantles. Then they went to their houses when the prayer was over and were not recognised in the darkness," meaning that were it not for the darkness of dawn they could have been recognised because their faces were exposed.

- His words, *"They should draw their head-coverings over their breasts..."* (24:31), requires some reflection since if what is meant is to drop the veil over the face, He would have said "draw their head-coverings over their faces." Then covering the face would have been a mark of Islamic society and the veil would have the awesome position which some ascribe to it. By a practical adaptation of this understanding, women would have to put *burqa's* or other veils on the lower half of the face in order to be able to go out. Lowering the head-covering from above would cover the eyes and make it difficult to see. So we see that this text is not one about covering the faces. There is no doubt that some people in the *Jahiliyya* and in the time of Islam used to cover their faces at some times while leaving the eyes uncovered. This was a custom, not an act of worship. An action of worship can only be based on a text.

This was demonstrated when a woman called Umm Khallad came veiled to the Prophet, may Allah bless him and grant him peace, to ask about her son who had been killed

on one of the campaigns. One of the Companions said to her, "You have come to ask about your son and you are veiled?" The righteous woman said, "I have been deprived of my son and not my modesty!" That the Companions were astonished at the woman's veiling herself indicates that veiling is not part of worship.

- It has been argued that something related from 'A'isha confirms that the veil is an Islamic tradition. She said, "Riders used to pass us when we were in *ihram*, and while they were passing we would cover our faces. Once they had gone past, we uncovered them." Our reply is that this *hadith* is weak in respect of *isnad* and aberrant in respect of text, and cannot be used as evidence.

  The strange thing is that this rejected *hadith* is circulated by those who call for the veil although they reject another *hadith* better than it: the *hadith* of 'A'isha concerning when Asma' bint Abi Bakr went to the Prophet, may Allah bless him and grant him peace, wearing a thin garment and he turned from her and said, "Asma,' when the woman reaches the age of menstruation, it is not proper for any more than this to be seen of her," and he pointed at his face and hands. We know that this *hadith* is *mursal*, but it is strengthened by other transmissions and it is stronger than the previous *hadith*.

- More indicative of this permitted uncovering is something Muslim related to us. Subay'a bint al-Harith was widowed while she was pregnant. Some time later she gave birth. She tidied herself up and beautified herself for proposals. Abu's-Sanabul, one of the Companions, went to her and asked her, "Why do I see you beautified? Perhaps you intend to marry? By Allah, you will not marry until four months and ten days have elapsed!" Subay'a said, "When he said that to me, that evening I put my outer garments and went to the Messenger of Allah, may Allah bless him and grant him peace. I asked

him about it and he gave me a *fatwa* that it was lawful for me to marry after I had given birth and told me to marry if I wanted to." The woman had kohl on her eyes and henna on her hands and Abu's-Sanabul was not one of her close relatives who was allowed to see her adornments because of kinship. So all the sources indicate that the environment was one in which women's faces were exposed.

That happened during the Farewell *Hajj*, and so it is not possible for that judgement to be abrogated or its legal status cancelled. I know that there are those who object to what we say here. Some of those who espouse *hadith* are worse for Islam than Ibn ar-Rumi.[1] They look at the virtues of this world and the Next through multiple veils and construct unnecessary barriers to our wholesome sexual instinct.

Allah knows that I dislike disagreement and aberration and like to go along with the Community in all matters. I will think something and prefer it for the sake of maintaining the unity of the Community. So is what I said simply my personal opinion? No, rather it is the opinion of the four great *fuqaha'* and the opinion of all the eminent Imams of *tafsir*. Those who make a fuss about women's faces being exposed support a less-favoured opinion and usually proceed regarding all issues concerning women in a manner which shakes the spiritual, cultural and social being of the Community, in a manner characterised by ignorance and deviation which would ultimately result in the demise of morality and knowledge for all women.

Many of the scholars of the four schools do not consider the face of a woman to be one of her private parts, and there are reliable texts to that effect from the great commentators who are followers of these scholars. Abu Bakr al-Jassas al-Hanafi says in a commentary on the words of the Almighty, *"Say to the believing women that they should lower their eyes and guard their private parts and not display their adornments – except for what normally shows"*

1. Ibn ar-Rumi (d. 896), a Tahirid satirical poet who was a free-thinker.

(24:31): "Our companions say that what is meant by "what normally shows" is the face and hands, for kohl is the adornment of the face and henna and rings are the adornment of the hand. If it is permitted to look at the adornment of the face and hands, it follows automatically that it is permitted to look at the face and hands themselves."

Al-Qurtubi, a Maliki, says, "Since the face and hands are normally shown in ordinary life and acts of worship – the prayer and *hajj* – it is proper that the exception should be taken as referring to them." Al-Khazin, a Shafi'i, says, in explanation of the exception in the *ayat*, "Sa'id ibn Jubayr, ad-Dahhak and al-Awza'i say it refers to the face and hands." Ibn Kathir says, "It is probable that Ibn 'Abbas and those who follow him mean to explain what is apparent as the face and hands and this is well-known among the majority." Ibn Qudama, a Hanbali, said in *al-Mughni*: "All of the woman is a private part except the face, and there are two transmissions about the face."

We end with the opinion of at-Tabari in his great *tafsir*, "The statement most likely to be correct regarding that is that the exception mentioned is about the permitted adornment of women, meaning the face and hands. Kohl, rings, bracelets and henna are included in that. That is the strongest position because the consensus is that every one who prays must cover his private parts in the prayer and a woman may expose her face and hands in the prayer but must cover the rest of her body. If it is not one of the private parts, it is not unlawful to show it." The Hanafi school adds the feet to the face and hands to avert unnecessary difficulty.

We hasten to point out at this point that Islamic society, as regards the way of dressing and general behaviour that Allah has prescribed for it, is not the same as European society – either Christian or secularist – which is a society closer to pure materialism and more likely to allow unrestrained animality. Clothes for them are designated to provoke interest, not conceal, and adornment is meant for the street, not the house. Free mixing of the sexes does not promote any chastity or fear of Allah and it is

easy for unmarried couples to be alone. The law does not see fornication as a crime as long as it is done with mutual consent. The family is practically nothing more than ink on paper. Islam is something else, completely different from this capricious and godless state of affairs. But do we make proper efforts to form a society truly based on the limits of Allah?

We are presenting images of Islam which evoke repugnance. One famous Christian missionary said in a speech, "A Muslim woman only leaves her house to get married or buried." Then he mentioned a *hadith* about a woman whose father was suffering from a fatal illness and asked her husband for permission to visit him and he refused her. When the father died, she asked permission to attend and be with the family when the bier was taken out and he refused. The speaker said, "When she mentioned that to the Messenger of Allah, he said her, 'May Allah forgive your father because you obeyed your husband.'"

This is, of course, a blatant attack on our *deen*. Do we imprison a woman so that she cuts off ties of kinship which Allah has commanded should be maintained? And unfortunately this false understanding is not confined to non-Muslims. I received a letter from a female student whose father had forbidden her to go to the mosque. She said, "My father told me and my sisters, 'Allah has buried you alive. I will not let you go out.'" This is the understanding her stupid father had of the *ayat*, "*Remain in your houses and do not display your beauty as it was previously displayed in the Time of Ignorance...*" (33:33)

Woman and the Family and General Duties

I dislike houses which are empty of their mistresses. The mistress of the house is the spirit which breathes welcome and love into it and helps to form a balanced wholesome human being within it. Everything that distracts a woman from this task requires careful study and examination. On the other hand, I dislike burying girls alive, especially when they possesses natural

talents and are a source of hope for their Community and family. So how can we resolve this paradox?

Firstly, we agree that scorn for females is a crime, just as it is a crime to send them out into the streets to satisfy the animal lust of some men. The sound *deen* rejects the customs of those nations who imprison and suppress women and deny them rights and obligations, just as it rejects the customs of other nations who pay no attention to honour and ignore all the laws of Allah, allowing free rein to people's sexual appetites and leaving them free to do whatever they wish.

It is quite possible for a woman to work both inside and outside the house, although guarantees are desirable to preserve the future of the family and also to make the atmosphere in which a woman works one that is full of *taqwa* and chastity. If there are a hundred thousand doctors or a hundred thousand teachers, there is nothing wrong in half this number being women. The important thing in Muslim society is to establish the code of behaviour which the *Shari'a* commands and by which the limits of Allah are protected. So in her workplace a woman should not adorn herself or behave wantonly. There should be no impudence or promiscuous free mixing of the sexes and no time when a woman is left alone with a man who is not a close relative. *"These are Allah's limits so do not overstep them. Those who overstep Allah's limits, they are the wrongdoers."* (2:229)

However, the health of the family is paramount and children must take precedence. I am alarmed when children are left with servants or put in nurseries. The physical presence of the mother has a profound effect on her children in the development of virtues in them and their general upbringing. We must do everything we can to enable a woman to fulfil her primary task. This will be easy if we understand the *deen* in a sound manner and abandon deviation and excess. I know excellent mothers who manage successful schools, just as I know skilful women doctors who oversee both their families and jobs.

I noticed that Jewish women participated in the humiliating

defeats we suffered when the state of Israel was built on our corpses. They performed their social and military jobs for their religion. Similarly a Jewish woman commanded her people and humiliated some of the bearded and moustached Arab leaders in the Six Day War and in the subsequent wars. In North Africa and other regions I have seen nuns and married and unmarried women working to Christianise people with courage and fearlessness. And we should not forget the woman doctor who remained in the tents of Palestinian refugees, which were pulled down on their heads, and endured having to eat carrion. Then at the end of the siege, she left with some Arab children to continue treating them in England.

There is plenty of scope for women to fulfil noble tasks in today's world which we must not forget simply because there is prostitution and decline in other areas. The religious and social struggle which non-Muslim women undertake in our lands and beyond our borders reminds me of the great *jihad* which the women of the first *Salaf* carried out in support of Islam. They endured exile for the sake of the *deen* with courage and fortitude. They emigrated and became refugees when that was necessary. They established the prayers and went morning and evening to the mosque of the Prophet for years. When circumstances required them to fight, they fought. They carried out medical services which the army required. But the position of Muslim women in the last few centuries has been poor indeed and illiteracy and general human backwardness have been imposed on them. I feel that the firm Qur'anic rulings are completely ignored when they deal with the best interests of women. Among them is the fact that a woman rarely obtains her inheritance and she is rarely consulted about her marriage.

In the hundreds of thousands of divorces that occur, it is possible to give divorced women compensation, as Allah says, *"Divorced women should receive maintenance given with correctness and courtesy: a duty for all godfearing people."* They are words which are recited yet frequently ignored. It is also common usage to discard a wife for some trivial matter, whereas Allah Almighty says:

"If you fear a breach between a couple, send an arbiter from his people and an arbiter from her people." (4:35) This has become a dead letter. A woman is considered to have too low a rank and worth for a reconciliation meeting to be held for her sake. The desire is to chuck her out and she is not allowed to object. I also criticise instances of adultery where the sin of the man is overlooked but the woman is made to pay with her blood.

In its last attack on us, global colonialists exploited this disagreeable deviation and launched a fierce attack on the teachings of Islam. They claim that the teachings of Islam are responsible for the disarray to be found among its followers. The thing that provokes astonishment is that those who defend Islam or speak in its name defend this inherited disarray thinking, owing to their complete stupidity, that Islam really is the cause of it. Madness has many forms just as ignorance has many forms.

The basis of the relationship between men and women appears in the words of the Almighty. *"I will not let the deeds of any doer among you go to waste, male or female – you are both the same in that respect."* (3:195) and *"Anyone who acts rightly, male or female, being a believer, We will give them a good life and We will recompense them according to the best of what they did."* (16:97) The Messenger said, "Women are the twin halves of men."

There are matters about which the *deen* gives neither command nor prohibition; they are part of that which the Lawgiver was silent about to allow us freedom of action, things which can be either positive or negative. About such things no one can offer his personal opinion claiming it to represent the position of the *deen*. It is only his opinion. Perhaps that is what lies behind the statement of Ibn Hazm: "Islam does not forbid a woman occupying any office except that of the Khalif himself." I have heard people reject the words of Ibn Hazm, saying that it is contrary to the words of the Almighty, *"Men have charge of women because Allah has preferred the one above the other and because they spend their wealth on them."* (4:34) They say that they understand the *ayat* to mean that it is not permitted for a woman to lead a man in any action. This view is invalid. Anyone who reads the

rest of the *ayat* will note that the charge mentioned refers to the man in his home and within his family. When 'Umar appointed ash-Shifa' to oversee the market of Madina, her duties applied to all the people of the market, men and women. She declared what was lawful and unlawful and established justice and prevented disputes. When a man has a wife who is a doctor in a hospital, he has no control over her professional work nor authority over her in her job in the hospital.

It might be said that Ibn Hazm's words are contrary to the *hadith*, "A people who put a woman in charge of its affairs is ruined." This suggests that entrusting the affairs of the Muslims to women would expose the Community to disgrace and therefore that they should not hold any post, large or small. Ibn Hazm understood this *hadith* as being confined to leadership of the state and not applying to lesser positions. We should examine this *hadith* carefully. We are not among those who want to make women heads of state or leaders of governments. We want one thing: that the state or government be led by the most capable human being in the Community.

Even though it is sound in *isnad* and text, what does this *hadith* mean? When Persia was collapsing under the blows of the Islamic conquest, it was ruled by an inauspicious despotic empress. Its religion was pagan and the ruling family had no council; nor was any opposition tolerated. Relations between its members were very bad indeed. A man might murder his father or brothers to achieve power. The people were servile and subservient. It might have been better, when the Persian armies were defeated by Byzantium who obtained a clear victory after an earlier major defeat, for a military leader to take command and stop the string of defeats, but the prevailing paganism made the nation and state the legacy of a girl who did not know anything. That was tantamount to an announcement that the entire state would be lost.

The words of the wise Prophet are true and describe all situations. If state business in Persia had been conducted by a council and the woman ruler had been like Golda Meir who ruled Israel

and placed the military affairs in the hands of its generals, there would have been another commentary on the existing circumstances. You may ask, "What do you mean by that?" My reply is that the Prophet, peace be upon him, recited *Surat an-Naml* to people in Makka; this *sura* recounts the story of the Queen of Sheba who led her people to faith and success through her wisdom and intelligence. It is impossible that there should be a judgement in a *hadith* of the Prophet contrary to what was revealed to him in the Revelation. Bilqis had a vast kingdom and the hoopoe described her thus: *"I found a woman ruling over them who has been given everything. She possesses a mighty throne."* (27:23)

Sulayman invited her to Islam and forbade her to be proud and obstinate. When she received his message, she waited to reply to it and consulted the council of state which hastened to support her opinion, saying, *"We possess strength and we possess great force. But the matter is in your hands, so consider your command."* (27:34) That intelligent woman, however, was not deluded by her strength and the fact that her people obeyed her. She said, "We will test this Sulayman to see whether he is a tyrant seeking domination and wealth or a Prophet with faith and a mission." When she came to Sulayman, she retained her intelligence and her illuminated wisdom. She studied his circumstances and what he wanted and what he did, and it became clear to her that he was a righteous Prophet.

The letter which he sent to her said: *"It is from Sulayman and says: 'In the name of Allah, All Merciful, Most Merciful. Do not rise up against me, but come to me in submission.'"* (27:30-31) Then she stated that she had cast paganism aside and accepted the *deen* of Allah, stating, *"O Lord, I have wronged myself but I have submitted with Sulayman to the Lord of all the worlds."* (27:44) Are a people ruined who entrust their command to an exemplary woman like this? This woman was nobler than the man whom Thamud summoned to kill the camel and spite their Prophet Salih. *"They called on their companion and he set to it and hamstrung her. How terrible were My punishment and warnings! We sent a single Blast against them and they became like a thatcher's reeds. We have made the Qur'an*

easy to remember. But is there any rememberer there?" (54:29-32)

Again I affirm that I am not one of those who seek to appoint women to major positions. Perfect women are rare and circumstances disclose them. All that I want to do is to explain the *hadith* reported in the books and avert discord between the Book and some reported Traditions, or those which are understood improperly and then produce discord between *hadith* and historical fact. It was in the era of Queen Victoria that England achieved its Golden Age, when it was subject to a queen and the leadership of ministers. It was considered to be at the peak of economic prosperity and political stability. Elsewhere crushing blows were dealt against the Muslims in the Indian sub-continent at the hand of Indira Gandhi. How can the Islamic entity be divided into two halves so that its people suffer? When General Yahya Khan came to power, disaster ensued. There is no denying the disasters that befell the Arabs under the Israeli leadership of Golda Meir. We will require another generation to efface them. The story is not one of male and female: it is one of character and personal gifts.

Indira held elections to see whether her people would choose her to rule or not. She fell in the elections which she herself held. Then her people elected her again without any compulsion at all. As for the Muslims, they are given to falsifying elections to achieve a government victory despite the wishes of the people. Which of the two groups is more entitled to be cared for by Allah and supported and to be appointed as vice-regents in His earth? Why do we not remember the words of Ibn Taymiyya: "Allah might help an unbelieving nation, because of its justice, against the Muslim nation, because of the injustices prevailing in it." Male and female are not the issue here. A woman who follows the *deen* is better than an unbeliever with a beard.

Now the Muslims account for a fifth of the world's population but how do they present their *deen* to other people? First of all they neglect the pillars, rulings and major aims of their *deen*.

They cannot impose on people anything about which Islam is silent simply because it happens to be a habit with which they are familiar. We are not obliged to transmit the customs of 'Abs and Dhubyan to America and Australia. We are only obliged to transmit Islam. Nations agree to differ about even important matters. For instance, the English drive on the left side of the road, which is not done in America. That has no effect on NATO nor on the constitution of the European Union. Since Muslim *fuqaha'* have different views regarding certain rulings, we must allow people to choose the ruling closest to their customs.

In Europe, a woman gives herself in marriage and possesses her own individual identity. It is not our task to impose on Europeans, along with the Pillars of Islam, the opinion of Malik or Ibn Hanbal when Abu Hanifa is closer to their sources. This is obstinacy or barring people from the Path of Allah. If they are happy for a woman to be a ruler, judge, minister or ambassador, they may have what they wish for. There are legal opinions in *fiqh* which permit all of that. So why is there any compulsion to embrace a particular opinion? Those who have no *fiqh* should shut their mouths so that they do not do Islam a disservice through words which they do not understand or when, in fact, the text of the Qur'an says the opposite of what they say.

The communal prayer

The communal prayer is one the hallmarks of Islam. When Islamic society is established, the mosque is the centre of its activity and the place where its members meet and where they join in love and mutual help. The believers stand in firm rows before Allah Almighty, shoulder to shoulder, humbly reciting the Qur'an, glorification and praise of Allah while bowing and prostrating. The effect of the prayer on thought and character is profound. The recited Qur'an raises standards and engenders fear of Allah. The repeated gathering protects private and public relations between people and enables the community to follow one

direction today and tomorrow, in mutual recognition and without mutual hostility.

So the communal prayer is one of the hallmarks of the *deen* to the extent that some *fuqaha'* consider it, where the five obligatory prayers are concerned, an obligation which is only cancelled by a sound excuse. What the majority of the Community are agreed on, however, is that communal prayer is a confirmed *sunna*. Does that apply to both men and women? That is the position of the Zahirites, but the matter requires some reflection. It is stated in a sound *hadith* that the woman is a shepherd in her house and that she is responsible for her flock. There is no doubt that the duties entailed by children, especially nursing, and preparing the house to receive the man coming home from work, can all result in the woman being prevented from attending the five communal prayers. That is why we think that attendance at the communal prayers is desirable for her after she has finished her household tasks. If she has seen to them, it is not permitted for her husband to prevent her from going to the mosque. A *hadith* says, "Do not prevent the female servants of Allah from going to the mosques of Allah."

It is certain that the Prophet, peace be upon him, set aside one of the doors of the mosque especially for women and that he put them in the last rows of the mosque to protect them when they bowed and prostrated. He forbade men to go too near their rows in the same way that he forbade women to come too close to the rows of the men. These rows of women remained in the mosque throughout the era of the Prophet and the time of the Rashidun Khalifs. No one protested. It began with *Fajr* and ended with *'Isha'*. There were sometimes large groups of women for the *Tarawih* prayers during Ramadan. It is also known that they took part in the *'Id* prayers; and listening to the *khutbas* is one of the hallmarks of Islam.

In spite of the flowering that Islam produced in the world of women, it rapidly began to fade and disappear. A *hadith* was forged forbidding teaching women to write, in order that they should remain illiterate! What will be the reckoning of the per-

son responsible for this piece of *Jahiliyya*? When was ignorance and blindness imposed on half of the Community? How will they then bring up the future generation? Then another *hadith* was disseminated which rejected the idea of women attending group prayers. It even stated that it was desirable for a woman, when she wants to pray in her house, to choose a withdrawn and secluded place and that her praying in a cellar is better than her praying in a high room and her praying in darkness is better than her praying in light. The transmitter of this *hadith* casts behind his back the *sunna* of action transmitted by multiple paths from the Message-bearer. This transmitter regards a woman praying as something filthy which should be confined to the narrowest and most distant place possible. Let us read this strange *hadith* as Ibn Khuzayma and others mentioned it.

"Umm Humayda, the wife of Abu Humayd as-Sa'idi, reports that she went to the Prophet, may Allah bless him and grant him peace, and said, 'Messenger of Allah. I want to pray with you.' He said, 'I know that you want to pray with me. But your prayer in your bedroom is letter than your prayer in your living room, and your prayer in your living room is better than your prayer in your house, and your prayer in your house is better than your prayer in the mosque of your people. Your prayer in the mosque of your people is better than your prayer in my mosque.'" The transmitter said that she gave orders that a prayer room be constructed for herself in the furthest and darkest part of her house. She prayed in it until she met Allah Almighty."

From this it would seem that the more constricted and distant the place the better the prayer! Ibn Khuzayma entitles this chapter "The prayer of a woman in her bedroom being better than her prayer in the mosque of the Messenger of Allah, and the words of the Prophet, peace be upon him, 'A prayer in my mosque is better than a thousand prayers in other mosques.'" So by that he meant the prayer of men rather than women! The immediate question arising from this is: if these words are true, why did the Prophet let women attend the group prayers with him for ten years from *Fajr* to *'Isha'*? Why did he single out one

of the doors of the mosque for them to enter by? Why did he not advise them to remain in their rooms instead of helping them in this way? Why did he shorten the *Fajr* prayer to two short *suras* when he heard a child with its mother weeping, so that their hearts would not be distracted? Why did he say, "Do not forbid the female servants of Allah from going to the mosques of Allah"? Why did the Rashidun Khalifs allow the rows of women to remain in the mosque after the death of the Messenger?

Ibn Hazm spares himself and others when he says that the *hadiths* which forbid women to pray in mosques are lies and considers them false. Scholars of technical usage say that this *hadith* is considered aberrant (*shadhidh*) since it is opposed by someone who is more reliable. Anyone who is disputed is not reliable; he is weak and his *hadiths* are abandoned or denied. Neither of the two main *Sahih* collections contains anything that would entail preventing women from praying in mosques. All *hadiths* which imply this are to be rejected, and even more so when such a weak transmission is contrary to the famous *sunna* of action which is reported by many lines of narration. Thus the *hadith* is considered very tenuous indeed.

The Muslims have passed through times in which the sound *Sunna* all but died out, and the tragedy continues to play itself out in fanatical environments in which only abandoned and denied transmissions are known. It is accepted that a woman should be barred from attending group prayers if she is ostentatiously adorned. The purpose of going to the mosque is not to give an opportunity for women to adorn themselves and to open the road to temptation. It is to please Allah and to implant fear of Allah in the heart. It is simply necessary to carry out the instruction of the Prophet, "They should go out in ordinary clothes," i.e. wearing normal clothing and natural dress without perfume or adornment. As for using the general ruling forbidding women to go to mosques, it is something that has no connection with Islam.

The *fuqaha'* are well-advised to be alarmed when those devoted to *hadith* report something contrary to what they know to be well-founded. Look at what al-Mundhiri wrote under the title, "Threatening those who deliberately omit the *basmala* from *wudu'*". Imam Abu Bakr ibn Abi Shayba said, "It is confirmed with us that the Prophet, may Allah bless him and grant him peace, said, "There is no *wudu'* for someone who does not say the *basmala*." And Abu Hurayra reported that the Messenger of Allah, may Allah bless him and grant him peace, said, "There is no prayer for the one who has no *wudu'* and no *wudu'* for the one who does not mention the Name of Allah over it."

The *fuqaha'* of the schools say that the *basmala* is *sunna* and not obligatory. They use as evidence what ad-Daraqutni and al-Bayhaqi reported *marfu'* from Ibn 'Umar: "If someone does *wudu'* and mentions the name of Allah over it, he purifies his entire body. If someone does *wudu'* and does not mention the name of Allah over it, he merely purifies the limbs covered by *wudu'*." Al-Mundhiri says, "There are many *hadiths* about this subject but there is some controversy surrounding all of them."

The majority believe that the *basmala* in *wudu'* is *sunna*. The Hanbalis and Zahiris believe it is obligatory. There is certainly no call for issuing threats in the matter. It is best that we know that an obligation is only established by definitive evidence; that a prohibition is only confirmed by definitive evidence; and that probable proofs are indications which carry less force than that. We want the groups working for Islam to be alert so that they are not deceived by weak traditions and forged *hadiths*, as we want them to recognise the sound ideas in what we say. The Imams of *fiqh* are the masters of this craft.

About a woman's testimony

It is well known that a woman's testimony is worth half of that of a man. The Qur'an gives the reason for this as being that

a woman may forget or become confused, or some aspect of the truth may be confused for her. When another woman repeats it with her, they will help each other to present the entire truth. I examined this subject and saw that when a woman has her period she is suffering a quasi-illness, and her temperament and vital functions are somewhat upset, while stability in giving testimony is mandatory. That is the secret of the words of the Almighty *"Two men among you should act as witnesses. But if there are not two men, then a man and two women with whom you are satisfied as witnesses; then if one of them forgets, the other can remind her."* (2:282)

It is obligatory for the matter to stop at this limit and yet a current has developed in religious thought which disqualifies women's testimony completely in the most important areas of judgement: the area of retaliation and the *hudud* which are connected to both life and honour. When thieves rob houses by night or day, what is the sense of rejecting a woman's testimony in the *hadd* for theft? When there is an assault against life and limb, which often occurs in the presence of women, and a woman sees the crime or is the closest person to it, what is the sense in rejecting her testimony? Why not oblige the minimum for testimony, as mentioned in the Qur'an? Having examined the traditions transmitted on the subject, Ibn Hazm stated that rejecting the testimony of women in *hudud* and retaliation has no basis whatever in the *Sunna* of the Prophet.

I do not want to weaken my *deen* in the face of the secular legal system by taking a position which has no strong support in definitive texts. When the Muslims now number more than a billion souls, what is the meaning of discarding the honour of half of that number in favour of the statement of one person? The tragedy is that we Muslims desire to add our customs and opinions to the tenets of Islam and its laws so that that becomes another *deen* alongside the *deen* and guidance from the Lord of the worlds. By doing that we bar people from the Path of Allah.

It might be appropriate at this point to mention the story of the she-camel whose owner offered it for sale for ten dirhams but stipulated that its collar had to be sold with it for a thousand

dirhams. People used to say, "How cheap the she-camel would be were it not for that cursed collar!" In a similar vein I say, "How easy Islam and its pillars are! How truthful its tenets and laws are, were it not for what its followers attribute to it from their own ideas and which they insist that people take on and incorporate into it!"

We will quote what Ibn Hazm says in *al-Muhalla* on the subject of testimony: "In accusations of adultery, it is not permitted to accept less than four just Muslim men, or in place of each man two just Muslim women, so that would be three men and two women, or two men and four women, or one man and six women, or eight women. In all rights of the *hudud* and blood and cases of retaliation, marriage, divorce, and property the testimony of two just Muslim men or a man and two women or four women is accepted." He also said, "It is soundly reported from Shurayh that he permitted the testimony of two women and a man in cases of emancipation. It is soundly reported from ash-Sha'bi that he accepted the testimony of a man and two women in cases of divorce and accidental injury but did not allow the testimony of women in cases of deliberate injury or the *hadd*. It is soundly reported from Iyas from Mu'awiya that he accepted two women in a case of divorce. Muhammad ibn Sirin reported that Shurayh allowed the testimony of four women against a man in the case of a woman's dower."

Az-Zubayr ibn al-Khirrit reported that Labid said, "A drunk divorced his wife three times and four women testified against him. The case was presented to 'Umar ibn al-Khattab and he allowed the testimony of the women and separated the couple. Sufyan ibn 'Uyayna reported from Abu Talq from a woman that a woman had intercourse with a boy and then killed him. Four women testified against her and 'Ali ibn Abi Talib allowed their testimony." 'Ata' said, "'Umar ibn al-Khattab allowed the testimony of women alongside men in divorce and marriage." In another transmission 'Ata' ibn Abi Rabah said, "The testimony of women alongside men is allowed in everything."

Ibn Hazm reported from 'Abdullah ibn 'Umar that the Messenger of Allah, may Allah bless him and grant him peace, said in a *hadith*, "The testimony of two women is equal to that of a man." We also have the report from az-Zuhri in which he said, "The *sunna* reported from the Prophet, may Allah bless him and grant him peace, and from Abu Bakr and 'Umar that the testimony of women is not allowed in divorce, marriage or in *hudud* is dropped because its chain of narration is interrupted by Isma'il ibn 'Ayyash, who is weak, from al-Hajjaj ibn Arta, who was already dead. As for the transmission from 'Umar, 'If we were to open this door, whenever a woman wanted to separate a man from his wife, she could do that,' it is from al-Harith al-Ghanawi who is unknown, from which we conclude that 'Umar did not utter these words."

I have selected a number of quotations which contain opinions, some of which are correct and some of which are incorrect, and transmissions of which some are accepted and others rejected. In order to save myself and others from this abyss, I thought that I should cling to the what is transmitted by numerous paths from the Book of Allah and well known aspects of the *Sunna* of the Prophet. I state that the testimony of a woman is acceptable in accordance with the minimum established in our *deen*. Every Muslim has the right to ignore what is beyond that without incurring any suspicion or doubt. I have to ask myself: is it beneficial for our general well-being to invalidate a woman's testimony in cases in which occur by the thousands in the presence of women? Is it beneficial for *fiqh* and tradition to prefer a school that does more ill to Islam than good?

We conclude this chapter with the words of Ibn Hazm, "It is permitted for a woman to give judgement," which is the position of Abu Hanifa. It is related that 'Umar ibn al-Khattab appointed ash-Shifa', a woman from his household, to oversee the market. If it is said that the Messenger of Allah, may Allah bless him and grant him peace, said, "A people who entrust their affairs to a woman will not be successful," we say that by that the Prophet meant the general command, which is the

khalifate. The evidence for that is the words of the Prophet, peace be upon him, "A woman is a shepherd over her husband's property and she is responsible for her flock." The Malikis allow a woman to be executor and trustee and there is no text preventing her from being put in charge of some matters. Success is by Allah Almighty.

Chapter Three
Singing and Music

Muhammad, the bearer of the Final Message, is the most beloved of people to Muslims, the person esteemed by us above any other human being. When one considers people's abilities according to their efforts to confirm the truth and nullify falsehood, then Muhammad is the most truthful in speech, the best guided in his ways and the most powerful in good character, showing consummate patience in embodying the truth and defending it and opening closed eyes to its illuminating radiance. He established every aspect of the Divine Revelation and protected it from all attacks. He taught us by Allah, the One, the Eternal, and he set out for us the path leading to Allah's pleasure in the face of malicious forces, superstitious prophecies, and befuddled masses. He remained steadfast through dark and difficult days and in the struggle against the tyrants of his people until he had conveyed the Message of guidance and good. He performed deeds on our behalf which we will never forget, even if the ignorant are ignorant of them and the deniers deny them.

In modern times, the Prophethood of Muhammad has met with a challenge in the contempt displayed by Zionism, Christianity, and Communism and the other secularist creeds of today's world which all try to encroach upon its rights and to devalue its legacy. But when we compare the crookedness and evil which these ideologies offer the world with the rectitude and good which Muhammad presented to it in the Book and his *Sunna*, we know that Islam's day is coming. *"As for the scum, it is quickly swept away. But as for that which of use to people, it remains behind on the ground."* (13:17) The important thing is that we

know our Message to be truthful and that we apply it to ourselves with faithfulness and diligence and convey it to people as a Divine Message free of the impurities of the earth and the filth that would make people of sound nature averse to it.

We know that all the Prophets brought their Messages from Allah and we are not surprised when we read the words of the Almighty. *"Whoever obeys the Messenger has obeyed Allah"* (4:80) and *"Say: if you love Allah, then follow me and Allah will love you and forgive you your wrong actions."* (3:31) The Messenger is owed our obedience and we study his life in order to travel by his path and follow in his footsteps and obey him in respect of what he did and did not do. There is no disagreement among the Muslims that Muhammad is their model, their first Imam, and the perfect demonstration of how to put the guidance and light of the Noble Qur'an into practice.

When we determine what our sources of judgement are, there is consensus that the first two fundamentals are the Book and *Sunna*. There is no doubt about the Book, as every letter has multiple transmission, and we believe in it in sum and detail. That part of the *Sunna* which enjoys certainty came the same way as the Noble Qur'an and only someone who is ruined deviates from it. Whoever knows with certainty that the Messenger of Allah issued a command and says that he rejects it has divested himself of the religion. There is no disagreement about that. When there is disagreement about a *hadith* and whether the Messenger said it or did not say it, then the discussion focuses on the soundness of the ascription and what would prove for certain that soundness, not about whether it is permitted to take precedence over Allah and His Messenger, or whether someone can take what he likes and leaves what he does not like.

I read a study written by Shaykh Yusuf al-Qardawi on the manner of dealing with the *Sunna* and I found that what he said on that subject was entirely correct. The truth is that Shaykh Yusuf is one of the scholars who appear rarely in our history who are well-grounded in *fiqh* and tradition and look into both the Divine Text and life itself. In his field, he is a leader among

those who are just and reliable. I want to add to his efforts some things that are not in any sense corrections. They are additions which clarify the positions of the majority of Muslims in regard to the noble *Sunna* when they leave one of the *hadiths* for another aspect of the *Shari'a* which they see as preferable.

Before I explain my views, I would like to repeat that I stand with the great majority, under their banner and in their ranks, and I dislike aberration and leaving the position with which the majority of the Community are pleased. I see the fearful enmities which have beset our Community in these barren years. I want us to remain unified in order to be able to protect our territory and crush our enemies. I graduated from al-Azhar in the middle of the century and continued to study for about ten years. During that time I found out that a *hadith* conveyed through a single line of transmission accords probability and is evidence for a legal ruling only as long as there is no evidence stronger than it. The strongest proofs are those taken from the Qur'an and *Sunna* with multiple transmissions or from the normative practice (*'amal*) of the people of Madina.

The position that single *hadiths* can convey certainty just as a multiple transmission does is a form of guessing that is unavveptable logically and in transmission. This is why we recognise the acceptance of various rulings that contradict certain sound transmissions. While I was studying Hanafi *fiqh*, I heard the Malikis say, "If anyone breaks the fast in Ramadan out of forgetfulness, he must make it up," and, "Doubt breaks *wudu'*." This is contrary to rulings confirmed with us that are founded on sound *hadiths*. We used not to recite a single letter behind the imam in the five prayers and used to leave out the *basmala* because of transmissions accepted as confirmed with us. Yet Shafi'is insist on the recitation of the *Fatiha* by everyone praying and believe that the *basmala* is an integral part of it. We were not bothered by this disagreement. When there is a scholarly debate, it subsides after a little time without that entailing anger or sorrow.

In the Hanafi school the *fard* is defined as that which is established by a definitive proof. As for the mandatory (*wajib*), which

is less binding than the *fard*, it is what is established by a probable proof. That means that a singly transmitted *hadith* can not establish a *fard*, just as there is no prohibition established by it, but only dislike. When we were busy studying the Noble Qur'an, we found that careful commentators incline to that method. According to the author of *al-Manar*, "The difference between rulings established by the text of the Qur'an and those established by single transmissions and the analogy of *fuqaha'* is essential to uphold. Anyone who denies what is in the Noble Qur'an is adjudged to be an unbeliever. If someone denies other things, one looks at his reason for doing so. There is no *mujtahid* imam who does not take positions opposed to some sound *hadiths* by means which are allowed, and people follow him in that. No one considers them to have left the *deen*."

Then the author of *al-Manar* quoted Ibn al-Qayyim in *I'lam al-Muwaqqi'in*: "Usury is of two types, evident and hidden. The evident is forbidden because of the immense harm in it and the hidden is forbidden because it is a means to the evident. Ibn al-Qayyim thinks that *riba al-fadl*, which is mentioned in the *hadith* about the six categories, is forbidden in order to block the means to worse usury. The fact is that *riba al-fadl* hardly exists in actual life. What is the sense of selling a gram of gold for a gram of gold, like for like, hand to hand? What is meant is to close the door on possible *riba an-nasi'a*. The truth is that the *hadith* on which there is agreement about the prohibition of disparity and delay between the six categories can only be understood in the light of Ibn al-Qayyim's explanation."

The tenets, pillars and major characteristics of our *deen* are taken from what is reported by multiple transmission or from what is well-known in the sound collections of *Hadith*. As for secondary judgements, there is no harm in deducing them from the examination of singly transmitted *hadiths*. Our scholars have expended efforts, for which we are grateful, in making the *hadiths* precise. They do not set aside an accurate fair transmission, but accord it the attention to which it is entitled. Nonetheless, in the field of testimony, we do not encroach upon

the lives, honour and property of people on the testimony of one man, however esteemed he is. We seek two witnesses or four for the establishment of evidence, and the *deen* of Allah is more important than anything in this world.

Furthermore, there are cases in which it is not permitted to be indulgent because they are dangerous. I feel exasperation and annoyance when I read that a Jew enchanted the Prophet, peace be upon him, and he was unable to have contact with his wives for a period which Ibn Hajar estimates to be six months. They said, "It is the same as a fool being able to throw a stone at him or a criminal be able to inflict an injury on him." This is unacceptable reasoning. Magic controls the will and thought processes and this is impossible in the case of the Prophet, especially since it is a means to give control to evil people or jinn over the nervous system of a man and to throw him into confusion and bewilderment.

I heard Shaykh Muhammad Ahmad 'Uthman, who was the Deputy of the Legal College in Egypt, reluctantly acknowledge that there was some uncertainty about the *isnad* of the *hadith* of magic. I told him, "You are not one of the scholars of this science. All that I have seen on the *isnad* is that it places the revelations of the last two *suras* in Madina, while it is clear according to the sciences of the Qur'an that they were revealed in Makka."

I have looked long at the books of the *Sunna*, believing that they are the repositories of precious treasures of the legacy of Prophethood, and I will be guided by my sound nature to avoid the weak and accept the sound. It is a nature polished by constant reading of the Book of Allah and true love for this blessed Revelation and an exacting study of the ideas of the four Imams and those after them among the people of remembrance and the leaders of thought. Thus I distance myself from those *hadiths* which Abu Hanifa, Malik and others abandoned, even if they are related by those people whose work is to compile all the *hadiths* related.

The tragedy which worries us and whose affliction we fear

for the Islamic revival comes from those who have named themselves, "The brothers, the people of *hadith*." We note that they have three faults. They make use of many weak transmissions and build elaborate structures on them; they have a poor understanding of sound *hadiths* and are fanatical in support of the errors which result from their faulty understanding; and they fail to understand the wisdom of the Qur'an and are very far from the heart and goals of the Qur'an. Going further we say that among them there are those who display their infamy by attacking the great imams and who conceal their evil by their obstinacy in enlarging the scope of limited judgements or magnifying minor disagreements.

I will be explicit in articulating my fears. From the time of the stand of the Islamists in Algeria there have been those who shouted as loudly as possible, "In Islam woman was only created to give birth to men. That is all she is good for." This cry went up while the cultural, religious and socialist attack against Islam deems woman to possess both knowledge and honour, a full identity, and holds her to be a participant in reforming the earth and conquering space. I dejectedly told the Islamist, "Stop this madness before Algeria leaves Islam completely and France takes control of it again."

That miserable opinion, given in the name of Islam, is based on one forged *hadith* which states that a woman should not see a man nor a man see her and that she was only created to be bedded by a male. Another miserable Islamist thought that the Messenger's going forth in the Battle of Badr indicated blanket permission to wage aggressive wars in Islam and is proof that that Islam was established by the sword. This understanding arises at a time when the Muslims cannot pick themselves up from the effect of the concerted attacks on them! They do not forge spearheads or offer any evidence. I will not continue in this vein although one could continue at length.

Part of the duty of those who make use of weak *hadiths* is to make sure that they are kept well away from any connection with articles of belief or legal rulings. Life, property and honour

and other such things are too great to be toyed with on any basis except that of absolute certainty. It is possible to consider weak *hadiths* in marginal cases or to give increased awareness of what is confirmed by respected evidence from the Book of Allah and the *Sunna* of His Messenger. This was the method of our scholars of old but now there are groups of common people or people with some personal agenda who diverge from this method, for which reason we have seen things which the early *Salaf* rejected used to enflame the masses. This has been achieved at the expense of the greatest truths of Islam in the sphere of doctrine and *Shari'a* and the sphere of administration, economics and politics. Indeed, I can say that it was at the expense of the very good character which the Bearer of the Immense Message was sent to perfect.

Some common people are more concerned about whether one raises the hands before and after *ruku'* than they are about having humility and concentration before Allah Almighty, when the disagreement of the *fuqaha'* about raising the hands is, in any case, a well-known one. This great deviance from the Path of the *Salaf* derives from disseminating weak *hadiths* and propagating a position which had no currency among the ancient *fuqaha'* – that a *hadith* transmitted by one person can give a definitive judgement just as multiply transmitted ones can. A sound *hadith* has a weight and acting according to it in secondary areas of the *Shari'a* is allowed and accepted, but that it be abandoned in the face of stronger evidence is a confirmed principle that is familiar among the *fuqaha'*. As for the claim that it accords certainty as do multiple reports, that is totally unacceptable.

One of the people who maintain that a single tradition accords certainty told me: "A teacher, who is one man, is entrusted with teaching; an ambassador, who is one man, is entrusted with the affairs of his government; and a single journalist is trusted in respect of the news he transmits, etc." I replied: "The chains of the transmissions which are conveyed are not like the cases which you mention!" But if we were to continue the argument on those lines, it is clear that certainty does

not exist in these cases anyway. A teacher may err and correct himself, or someone else may correct him. An ambassador is overseen by his government and must consult it in respect of what he conveys. A news report is always subject to the circumstances of publication and to confirmation or rejection for something more trustworthy.

The derivation of rulings from their sources is a specialist science and needs properly qualified men, and the common people must hear and obey. But these days I see someone who calls himself the leader of a group and all his energy is spent in spreading the veil among women or the *jilbab* among men, or encouraging both men and women to wear gold, or letting the beard grow and not trimming it at all before the meeting with Allah. Are these the ends for which human beings were created? The strange thing is that weak *hadiths* and secondary disputes have a disparate success rate and it is difficult to see why this one survives and that one dies out in a particular place.

In Egypt, for instance, the common people gather on the middle night of Sha'ban, when the truth is that this night does not possess the great importance accorded to it. In the course of a conversation, one of the scholars from the Gulf remarked, "Fabricated and weak *hadiths* enjoy a profitable market among you." I replied, "Sadly, the same is true of you as well." He declared, "We examine the *hadiths* by which we issue our rulings!" I laughed and quickly replied to him, "I think that the *hadiths* which are reported about the "Middle Night" are stronger than the *hadiths* which are reported prohibiting singing." He retorted with disapproval, "That is not true! The prohibition of singing and music is firm in the *Sunna* of the Prophet!" I told him, "Let us read together what Ibn Hazm says on this subject, and then see what you think."

Ibn Hazm stated: "Selling chess sets, flutes, lutes, stringed instruments and drums is all lawful. Anyone who breaks any of them is liable for it unless it is in a form representing a body, in which case there is no liability for breaking it. Liability on the part of anyone who damages these things is mandatory because

they are the property of their owner." He also said: "It is also permitted to buy and sell slavegirls who are singers. The basis for the permission for all these things is found in the words of the Almighty, *'It is He who created everything on the earth for you'* (2:44), *'But Allah has permitted trade'* (2:275), and His words, *'He has made plain to you what He has forbidden you'* (6:119), meaning that the basis for these things is permissibility, and that there is no prohibition except by a text. Allah has detailed what He has forbidden in His Book and on the tongue of His Prophet, and no text exists prohibiting the things mentioned in the sales referred to." Ibn Hazm mentioned that Abu Hanifa obliged liability for anyone who breaks any of the instruments previously named.

Ibn Hazm further stated: "Those who forbid them utilise traditions which are not sound, or some which are sound but cannot be used as evidence. They include what 'A'isha, *Umm al-Mu'minin*, mentioned from the Prophet, may Allah bless him and grant him peace: 'Allah has prohibited singing girls, selling them, the price received for them, teaching them and listening to them.'" Ibn Hazm criticised the *isnad* of this *hadith*, saying: "It contains Layth, who is weak, and Sa'id ibn Razin, who is so unknown that no one knows who he is, from his brother although nothing is known about him either. If he is not known when he is named, then what about his brother who is not named?"

'Ali ibn Abi Talib reported that the Messenger of Allah, may Allah bless him and grant him peace, said, "When my Community has fifteen characteristics, affliction will befall it." They include, "They will adopt singers and musical instruments." It ends, "At that time look for a violent wind or the earth opening up or transmogrification." Ibn Hazm said, "The transmitters of this *hadith* include Lahiq ibn al-Husayn, Dirar ibn 'Ali and al-Himsi, who are unknown, and Faraj ibn Fadala, who is rejected."

Mu'awiya said, "The Messenger of Allah, may Allah bless

him and grant him peace, forbade nine things and I forbid you them now." He mentioned singing and wailing. Ibn Hazm said, "This transmission contains Muhammad ibn al-Muhajir who is weak, and Kaysan who is unknown."

Abu Dawud transmitted with his *isnad* from 'a shaykh' that Ibn Mas'ud said, "I heard the Messenger of Allah, may Allah bless him and grant him peace, say, 'Singing produces hypocrisy in the heart.'" Ibn Hazm said, "The transmission from 'a shaykh' is very strange indeed! What shaykh?"

Abu Malik al-Ash'ari heard the Prophet, may Allah bless him and grant him peace, say, "People of my community will drink wine and call it something else; musical instruments will be played for them and singers will sing. Allah will cause the earth to swallow them up." Ibn Hazm said, criticising the *isnad*, "Mu'awiya ibn Salih is weak, and the threat mentioned in it is not about musical instruments or singers. It is clear that it is about them making wine lawful. Religion is not taken by supposition."

Anas ibn Malik is reported to have said that the Messenger of Allah, may Allah bless him and grant him peace, stated, "If anyone sits with a singer and listens to her, Allah will pour molten led into his ears on the Day of Rising." Ibn Hazm says, "This is a shameful forged *hadith*. It is not known at all from Anas."

Makhul reported that 'A'isha said that the Messenger of Allah said, "If anyone dies owning a singing slavegirl, do not pray over him." Ibn Hazm said, "Makhul did not meet 'A'isha. Hashim and 'Umar have unknown transmissions." There is another *hadith* whose path of transmission is completely unknown: "The Messenger of Allah, may Allah bless him and grant him peace, forbade two cursed voices: wailing and singing." This has no *isnad* at all!

Abu Umama related: "I heard the Messenger of Allah, may Allah bless him and grant him peace, say, 'It is not lawful to buy or sell slavegirls and the price received for them is *haram*. The confirmation of that is in the Book of Allah and it is, *"But there are some people who trade in distracting tales to misguide from Allah's*

Way without any knowledge and to make a mockery of it." (31:6) By the One who has my soul in His hand, a man does not raise his voice in song without two shaytans following him, beating his back and front until he is silent.'" Ibn Hazm looked into the transmitters of this *hadith* and found all of them to be weak, abandoned and unknown.

Perhaps the most important tradition to have come about this subject is the one al-Bukhari related as an appendum, in which he reports that Abu Malik al-Ash'ari heard the Messenger of Allah, may Allah bless him and grant him peace, say, "There will be a group of my community who make lawful rough silk, pure silk, wine and musical instruments." The appenda of al-Bukhari are accepted because they usually have continuous *isnads*, but Ibn Hazm says, "This particular *isnad* is broken and is not continuous from al-Bukhari to Sadaqa ibn Khalid, the transmitter of this *hadith*." We observe, "Perhaps al-Bukhari intended to convey a whole picture, i.e. any gathering which includes wine, singing and licentiousness. That is forbidden by the consensus of the Muslims."

Ibn Hazm said about forbidding singing: "There is nothing at all sound in this area, and all that is related is forged. By Allah, if all, or even one of them, had an *isnad* by way of reliable men reaching the Messenger of Allah, may Allah bless him and grant him peace, we would not hesitate at all in adopting it." Then he examined the *ayat "But there are some people who trade in distracting tales to misguide from Allah's Way..."* With respect to that referring to singing, he said that its text itself explains what is meant by it. It means that anyone who desires to mislead people from the Path of Allah and mock it is an unbeliever by the consensus of the Muslims. He added, "If a man buys a copy of the Qur'an in order to misguide people, he is an unbeliever!"

Allah does not censure anyone who indulges in some distraction for relaxation purposes in order to gain the energy to perform more serious actions later. Actions are by intentions and there is no harm in a Muslim taking a walk in a garden to relax or to going here and there to relax in order to relieve his fatigue.

The truth is that singing consists of words. What is good in them is good and what is ugly is ugly. There are sinful songs in which one encounters dark nights, even if there are many lights in them, and in which only the clamour of appetites or buzz of forbidden desires is heard. Then there are excellent songs with noble meanings which are brimming with praiseworthy feelings. There are religious ones and there are military ones to which people's souls respond and which may lead them on to great achievements.

On one occasion I was with a group of people having lunch in a hotel near the Pyramids when a beautiful voice reached our ears and caught my attention. It was a sorrowful voice counselling against madness and laxity. I began to reflect on the words which were coming from a tape deck in a *zawiya*. It was by al-Busiri, and there were some additions to the original verses of the *Burda*. Al-Busiri and another poet alternated on the famous verse describing the noble Messenger:

Even though he is one individual, because of his majesty,
when you meet him,
it is as he were in an army or entourage.

There was no accompanying music to provoke feelings. It was just the voice of a singer revealing his faith and love and it transported me back through the ages so that I could imagine that I was in the presence of the Message-bearer among his community, while he was directing and teaching them and creating that unsurpassed generation who would produce a higher and purer civilisation than any that had ever existed and who would free the world of the tyranny of the Romans and Persians. That fine singing which I heard still evokes emotions in me whenever I recall its tone even after my immediate memory of it has faded.

In Part One of his book, *al-I'tisam*, ash-Shatibi said: "Some people came to 'Umar ibn al-Khattab and said, '*Amir al-Mu'minin*, we have an imam who sings when he finishes the

prayer.' 'Umar asked, 'Who is he?' They mentioned the man and he told those present, 'Let us go to him and we will see what he does.' 'Umar got up with a group of the Companions of the Prophet, may Allah bless him and grant him peace, and went to the man who was in the mosque. When he saw 'Umar, he went to him and greeted him, saying, '*Amir al-Mu'minin*, what can we do for you? What has brought you? If we need something, it is more proper for us to come to you. If you need something from us, then it is more proper for us to esteem the khalif of the Messenger of Allah!' 'Umar said to him, 'Woe to you! I have heard something about you that vexes me.' He asked, 'And what is that, *Amir al-Mu'minin*?' He said, 'Do you jest and abase your worship?' He replied, 'No, *Amir al-Mu'minin*, but it is a warning by which I admonish myself.' 'Umar said, 'Repeat it. If the words are good words, I will repeat them with you. If they are bad, I will forbid you.' So the man recited these verses:

'Whenever I rebuke my heart in the arena of separation,
it seeks to wear me down.
No, I see that it is only inattentive in its perseverance
through time and that troubles me.
O evil comrade, what is this yearning
that wastes all of life in playing around?
My youth has left me and departed
without my achieving what I most desire.
What can I hope for after it but annihilation
as white hair renders desire difficult for me?
Woe to my self! I never see it
showing beauty or displaying good manners!
My self, you are nothing and there is no passion left.
Be fearful, watchful and in grave fear of the Master.'

"'Umar repeated the last verse:

'My self, you are nothing and there is no passion.
Be fearful, watchful and in grave fear of the Master.'

'Then he said, 'If anyone is going to sing, let him sing this!'"

So we have a good example in the *Amir al-Mu'minin*! Every composition that encourages elevation, effort and rectitude is excellent singing. I do not think anyone could be more godfearing than 'Umar, or purer in what he affirmed – and he made supplication for the man. It is the same when I hear the words of Shawqi:

O Lord, does any argument avail the slave
with all the lapses there are in life?

Then I remember the bounty of Allah in making *hajj* a complete repentance. But the imploring voice of the singer can provoke feelings of remorse for past errors, just as it can stir hope of Allah's forgiveness. As a man seeks deliverance from an oppressive past, poetry and song can rescue the Islamic nation from a sorrowful present with true closeness to the Messenger, peace be upon him.

Your peoples in the east and west of the earth
are like the people of the Cave in deep sleep.
Our faith has two lights – *dhikr* and the *Sunna*.
So what do you think of darkness in your state?

Abu Hamid al-Ghazali, following ash-Shafi'i, maintains that poetry consists of words. Its good is good and its ugly is ugly, and therefore listening to singing can be allowable, recommended, mandatory, disliked or unlawful. Then he divided permitted singing into seven categories:

- Songs provoking yearning to visit the holy places and encouraging the Muslims in distant areas so that they travel

to Makka and Madina.

- Songs provoking zeal to fight and defend Islam and the homelands of the Muslims. The best model for this sort of singing is what Abu Tammam collected in his *Hamasa* collection. Would that our nation would sing and be influenced by the ideas of strength that are evident in his poems!
- Songs describing battles and fighting which encourage men to hold firm in dire situations.
- Elegies which provoke noble sorrow and evoke a sound understanding of the true nature of the life of this world. Elegies can also be negative encouraging distress and weeping.
- Songs describing times of joy and happiness and delighting in them and wanting them to continue.
- Noble love songs which express the feelings of lovers and desire for union. Sometimes nations and individuals are lacking in this area; but feelings are worthy of esteem.
- Songs describing divine glories and praise and glorification connected to the Lord of Majesty and Nobility.

It is a difficult task for singers to rise to the level of meanings about which they are singing, and the success of the song depends not only on noble ideas, but excellent performance and a good tune and putting together a melody that evokes the desired awakening in the human soul. I once heard someone singing the poem of Shawqi which begins:

Crimson liberty has a door
at which every bloodied hand knocks.

I felt that the singer had failed miserably to voice effectively its musical composition. It is necessary for this verse that the

melody and performance help to convey the sound of the hammers falling on the closed doors, the boldness of the fighters who attack the prisons which enclose the enslaved masses, the resolve of the martyrs who offer themselves to ransom the truth, the groans of the wounded and the obstinacy of the tyrants. The masses of murmuring voices and clashing of armies must emerge during the singing of this poem and when this particular verse is sung, but the singer was not a man who was able to express all this.

The fact is that the people involved with music, as we hear from the news, live in a world of base instincts. Their expertise in playing flutes and drums is mostly used to elicit cheap emotions and I do not think that they aspire to a high goal. Perhaps that is why some Islamic speakers forbid music and singing. But the fact is that there is no text that bans it. Those with excessive zeal for the *deen* look at the behaviour of those involved in singing and music and reject that sort of conduct and then reject everything connected with it, including the instruments and voices which accompany it. But fairness means that we must reject that ruling.

Among those who wield pens are people who serve unjust rulers and change their opinions like chameleons. Morning and evening they deceive the masses about their rights and liberties. Does this journalistic prostitution render all journalism false? No. There are men of the *deen* who live without *deen*. Some of them may actually be a hindrance to the *deen* like the priests Allah describes in His words, *"Many of the rabbis and monks devour people's property under false pretences and bar people from access to the Way of Allah."* (9:34) Does this mean that the *deen* is false? No. There are artists who are not worth a nail clipping. There are also some with whom I pray in ordinary group prayers and those whom I see in the *hajj* and *'umra* performing the rites with good behaviour and fear of Allah.

I remember once when I was a teacher in Makka, I was sitting bored in my room, dealing with some tasks, and said, "I

want to ease my cares a little," so I turned on the radio and was delighted to hear some songs which I liked. I was about to sing along with some of the lines when a student whose assignment I was overseeing knocked at the door. I thought that I could listen while he was present but he begged me to turn the radio off. Out of respect for him I granted his request and I finished some of the words of the song on my own:

> Where is what calls down the darkness,
> O friend of the night, where?
> The light of Allah is in my heart;
> this is what I see.

The student exclaimed, "What is this! Don't you know that all singing is *haram*?" I replied to him, "I certainly do not know that!" Then I turned to him in seriousness and said, "Islam is not a regional *deen*, for you alone. You have a Bedouin *fiqh* which is very narrow. When you make that synonymous with Islam and say 'This is a joint package and these two cannot be separated,' the result will be that Islam will fail and people will turn from it. That is a grave injustice to the message and guidance of Allah." He asked, "How is that?" I replied, "You can proclaim all-out war against vulgar singing and you will find some people support you. As for the claim that Islam has declared war against all singing, good and bad, that is not the case. People of all continents have singing traditions on which they agree and they are well able to distinguish what is bad from what is good. So leave them to what they prefer."

Maryam Jameelah, wrote an article about Islam and the arts in her book, *Islam in Theory and Practice*, and she mentioned that Europeans have great respect for Beethoven and Bach in music, Verdi and Wagner in opera, and Shakespeare in theatre and so forth. They call them "the great masters" and consider that dedicating one's life to any branch of these fine arts is one of the highest and most serious goals. She continued, "If a person becomes renowned for a gift of artistic superiority, and usually

that occurs years after his death, he is considered to be one of the eternal greats. Classical authors achieve a kind of immortality when their books are published time and time again and are praised as important literary works which every student must study. Composers of symphonic music and opera are rendered timeless by the performance of their works time after time in great music halls in major cities, as the greatest singers and musicians are honoured by having their works recorded on records and tapes."

I asked myself, "What should the correct Islamic approach be when it is presented to this environment? Should I tell these people to discard their fine arts root and branch? What would be my justification for this order? A group of weak and fabricated *hadiths* which have no weight in the arena of scholarly investigation? If I did tell people that and they listened to it, they would see me much as one views a vegetarian who presents information he considers sound provided that it states one should not eat meat.

What I should be doing is asking the Europeans and others to abandon the doctrine of incarnation and polytheism and to rectify their understanding of existence. Am I to place an obstacle in the way of this essential matter by calling on them to abandon singing and music? What does Allah say in His protected Book? *"Say: 'What do you think about the things Allah has sent down to you as provision which you have then designated as lawful and unlawful?' Say: 'Has Allah given you authority to do this or are you inventing lies against Allah?' What will be the thoughts on the Day of Rising of those who invent lies against Allah? Allah possesses favour for mankind. But most of them are not thankful."* (10:59-60)

I can forbid making statues and I can forbid naked images. I can forbid dancing alone and in couples. Those are base arts, not fine arts. I can issue Islamic rules for the conduct of individuals, whether they are geniuses or not. A genius in any science or art must be aware of the blessings of Allah that are his and he must fear Allah with regard to His limits and respect the rights of others. The reliable sources which define what we can do and can-

not and what we command and prohibit are the Book of Allah and the *Sunna* of His Messenger, not rumours flying about in the arena of religious knowledge.

When I read what Maryam Jameelah said about the attachment of Europeans to fine arts, I was amazed at the clear misguidance which has taken hold of the hearts of those heedless people. There is also what was written in the book, *Islamic Civilisation*, by Muhammad Marmaduke Pickthall: "No doubt some of you remember a study which some British newspapers did some years ago. The question was: Let us suppose that a famous beautiful Greek statute, unique in its style and so irreplaceable, is in a room with a living child and then a fire breaks out in the room and it is only possible to save one of the two, the statue or the child: which should be saved? Most of the men of culture and high rank who replied to this question in their letters to the paper, as I recall, said that the statue should be rescued and the child left to die. Their argument for that was that millions of children are born every day whereas the statue is irreplaceable. It is a great work of art and part of the legacy of ancient Greek culture." Could any disbelief be fouler than this? Could there be any more atrocious abasement of humanity than this? Should a stone should be rescued while a living child is left to burn?

Behind this is the feeling that when an artist draws a scene of the sunrise or the sunset with consummate skill which accurately depicts the scene, he is considered to be an artist worthy of praise and esteem. As for the Maker of the thing itself, He is the One who brings forth the morning and makes the night for stillness, and the sun and moon as a reckoning, He is forgotten or denied, and there is no word of praise for Him! If an artist comes to a stone and fashions the form of a human being from it, he is considered to be a great man. The immensity of his greatness is achieved when his carving closely approximates the proportions of the human being and the contours of his face. But what of the Creator of man, the Originator of the life inside him Who makes the blood flow in his veins, the Originator of

the sensitivity in the nerves and the intelligence in the brain, and the One who allowed this extraordinary human creature to fill this world with civilisation and production? This glorious Creator is not remembered with a single world of esteem and exaltation by the misguided Western civilisation. Greek and Roman paganism are the real basis of European civilisation and Christianity is nothing but a veneer painted onto a profound unbelief which is far from true faith.

Islamic civilisation is very different from this. It sees the immensity of Allah before everything else. Look at what Abu Hamid al-Ghazali says when speaking about beauty and the arts: "Art imitates the beauty which Allah originated throughout the universe, or is making something resemble some other created thing. There is nothing that people practising the arts make by their efforts which is not a likeness of something in creation which the Highest Maker originated. It is from Him that craftsmen learn and Him that they follow." He continues: "Every beauty in the world perceived by minds, eyes, hearing, and the senses comes from the Originator of the universe to whoever borrows it. The distance from the height of the Pleiades to the depths of the earth is but a single atom from the storehouses of His power."

Islam and modern culture

Modern civilisation is the product of dazzling scientific and technological advances which man has achieved after generations of exhaustive research and extensive experiments. It is not strange that man should wish to exploit his discoveries of the secrets of existence and its hidden forces to advance himself and achieve a higher standard of living. That is certainly closer to wisdom than the exploitation of those discoveries for the destruction of civilisation and collective suicide. The global industrial progress has given the masses benefits which even ancient kings did not possess. Foods are more pleasant; there are

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Our Signs are recited to such a person, he turns away arrogantly as if he had not heard..." (31:6-7) By my life, whoever trades in serious or distracting words for the reasons mentioned in the *ayat* merits a strong punishment. But as for someone who relaxes his strained nerves with a beautiful voice and pleasant tune, that has no relevance to the *ayat*. As Ibn Hazm said, "If someone buys a Qur'an in order to misguide people, he is a evildoer."

However, the link between singing and forbidden things like wine and promiscuity and the dissolution which spreads from the artistic atmosphere have led a number of scholars to forbid it. The sum of these vices is indicated by the *hadith* in al-Bukhari about those who deem silk, wine and flutes lawful. It is not necessary to combine all of those elements when listening to music and, in any case it is the singing which accompanies these forbidden things that must be rejected. When it is free of them, there is nothing to say about it.

What applies to music applies to singing. I saw in the *Sunna* that the Prophet, may Allah bless him and grant him peace, praised the voice of Abu Musa al-Ash'ari, which was sweet, when he heard him chanting the Qur'an. He told him, "I think that you have been given one of the flutes of the family of Da'ud!" If the flute had been a vile instrument, he would not have said that. The Messenger of Allah heard the sound of the tambourines and flutes without being annoyed. I do not know what the grounds are for some people totally forbidding music and people listening to it. It is, however, true that tunes differ in both their effects and psychological resonance. If there is scope for objection, it is to effeminate voices and to those who make raucous sounds and sing seductive songs. As we said in the beginning, our nation is in need of more seriousness and less amusement. If we have artists with nobility and worth, that will transform the arts into factors for construction and not destruction, and evoke noble feelings rather than unleash base instincts.

As for images, we must distinguish between two types: the three-dimensional images which sculptors produce now, and

drawings made on flat surfaces – paper, parchment and other mediums. Depiction, whether through photography or with a pen, is a component of medicine, security, astronomic and biological sciences, history and many social matters. The basic ruling on it is permissibility as is found in the *hadith* in Muslim, "except marks on a garment," and the *hadith* of Razin according to which Ibn 'Abbas was asked about a wage being paid for writing out a Qur'an. He said, "There is nothing wrong. They are painters. They eat from the work of their hands." No one says that the form of a face in a mirror is forbidden. No one says that doing that by one means or other turns the permissible into the forbidden.

That sort of image is only forbidden when it carries a religious stamp to religions which Islam rejects, like images of Buddha, Brahma, or Christian crucifixes or any religious token contrary to *tawhid*. Similarly forbidden is any depiction which violates good manners and provokes instincts to disobey Allah. As for three-dimensional statues, the texts related about them are clear about rejecting them, except are dolls for girls or little toys or what we find in various types of jewellery, which no one would think of venerating or worshipping.

With my own eyes I have seen people worshipping images in South Asia, and in Egypt I saw those who treated an image of 'Abd al-Nasir with reverence when it was moved from one place to another! But I know that there are writers of *fatwa* who prohibit all depiction, whether three-dimensional or an image on paper, and I fear that the demand for texts which are stripped of their proper contexts may well be a reason for the loss of both the *deen* and this world.

Chapter Four
The *Deen* in Customs and Acts of Worship

Customs in eating

There are customs which people are familiar with and which they find it strange to abandon. There are acts of worship which they are obliged to perform and which are an integral part of the *deen*. Customs are made by people. Acts of worship come from Allah Almighty. I read a book by an Indian scholar on the Islamic manner of eating and I found that the man had confused customs and worship and opposed Western customs with Arab customs. It is a conflict which has nothing to do with Islam. He said, "Food must be placed on the ground and not a table," and, "A person eating must sit cross-legged, or sitting on his thigh, or kneeling and must never eat sitting on a chair," and further, "It is obligatory to make an intention to eat, i.e. to strengthen oneself for obeying Allah and not to satisfy one's appetite. Several hands must eat from one vessel and the Name of Allah must be mentioned before eating."

Most of what the man said is far from correct. Eating is permitted on the ground or from a table. You are permitted to sit on a chair while eating. You should please your Lord by eating when you are hungry. You may eat alone or with others. It is indeed mandatory to say the Name of Allah before eating. The statement of the Messenger of Allah, may Allah bless him and grant him peace, is sound: "Say the name of Allah and eat with your right hand and eat from what is in front of you."

There are various *hadiths* that have come about the way to eat; some are sound, some rejected and some are merely Arab customs. The statement that using a knife in eating is *haram* is baseless. Abu Dawud related a *hadith* from 'A'isha which says, "Do not eat meat using a knife. It is the action of foreigners. Take bites from it. It is more pleasant and enjoyable." This *hadith* is false. It is established in the *Sahih* collections that the Messenger, peace be upon him, used to use a knife to cut pieces of meat while he was eating. The *isnad* of the *hadith* from Abu Dawud is rejected.

There is no command to eat on the ground or prohibition from eating on tables. That about which the Lawgiver is silent is permitted and there is no scope for obligation or prohibition. The Prophet, may Allah bless him and grant him peace, was frugal in his life, doing without luxuries. In spite of that, he did not forbid what was lawful nor constrict people. Abu Hazim said, "I asked Sahl ibn Sa'd, 'Did the pure Prophet eat refined bread?' He said, 'I did not see the Prophet eat refined bread from the time Allah Almighty sent him until he died.' I asked, 'Did you have sieves?' He replied, 'The Prophet did not see a sieve from the time Allah Almighty sent him until he died.' I asked, 'How did you eat barley without a sieve?' He said, 'We used to pound it and blow on it; then blew away what we could of the husks; and what remained we made into a stew and ate.'" That was their lifestyle. They were accustomed to it. Then people were happy to have refined flour for bread and found no objection to it. Allah Almighty says: *"O Mankind, eat what is good and lawful on the earth."* (2:168) and *"O you who believe, eat of the good things We have provided for you and show thanks to Allah."* (2:172)

Abu Dawud related from Wahshi ibn Harb that the Companions said, "Messenger of Allah, we eat and do not feel full." "Perhaps you eat separately?" he asked. "Yes," they replie d. He said, "Gather together for your food and mention the Name of Allah over it and He will bless you in it." We see in this *hadith* motives of generosity and inviting the poor. It is not permitted to leave the deprived starving! And it is not permitted to

understand from the *hadith* that there is a prohibition against eating from more than one bowl. How could that be the case when Allah says, *"There is nothing wrong for you in eating together or eating separately"* (24:61)? There is no objection if food is set out for each person on a different plate.

One of the elements of cleanliness is that a man should eat with his right hand. Islam reserves the left hand for removing filth. This division is necessary. It is it is clearly not good for a man to place his hand on his genitals and then afterwards put it in his mouth. Any person may eat directly with his right hand or eat with a spoon. There is leeway in this. The Arabs used to eat with their hands. That was their custom. It is not odd for someone who eats with his hand to lick his fingers. But to make this custom part of the *deen* is something which has no basis. It is part of the *deen* for a Muslim not to leave food on his plate, either a little or a lot, to be thrown away with the rubbish. To do so is a blameworthy custom. The strange thing is that the Europeans leave their plates cleaner than Arabs, who leave mountains of food on their plates, filling rubbish bins and delighting the eye of Shaytan.

In these days when delegations of Muslims go to Europe and America they may be distinguish themselves from others in their manner of eating by avoiding *haram* things and by saying the Name of Allah. As for sitting on the ground, forbidding the use of spoons, and encouraging licking the fingers, such obstinacy is harmful to Islam and its Message, and can provoke vile rumours against the Muslims. Has the call to *tawhid* been transformed into being a call to a form of behaviour espoused by the early Arabs, even in their pre-Islamic Time of Ignorance? This Bedouin conduct is in reality a y barrier to the Path of Allah.

Customs in dress

Let us move on from food to dress. I read something from the above-mentioned Indian scholar in which he mentioned as a *hadith* from al-Bayhaqi, "You must wear turbans. They are the mark of the angels. Let them hang down behind your backs." I have read a number of *hadiths* about the excellence of turbans, related by at-Tirmidhi and Abu Dawud. They are all without merit: as Shaykh Muhammad Hamid al-Faqi says, "There is no sound *hadith* about the excellence of the turban." Turbans are Arab dress and not a mark of Islam. It is the same with the headbands of the kufiyya. The fact is that a hot environment necessitates covering the head and neck, and white, loose garments are recommended in it. In cold climates, the quest for warmth leads to more constricting garments and choosing dark colours. It states in a sound *hadith*, "Eat what you wish and wear what you wish as long as you avoid two qualities: extravagance and arrogance."

We can see extravagance and arrogance behind many Arab and Western customs. People of good character and gravity rise above this excess in choice of garb, and so a person's worth is not based on the value of his clothes. Because modern civilisation is corrupt in its religion and licences forbidden appetites, customs of clothes and adornment have become more complicated. There are revealing dresses for parties at night, dress for being at home, dress for travel, dress for exercise, spring clothes, summer clothes, and so forth.

The majority of scholars agree that silk and gold is forbidden for men but allowed for women, just as the majority believe that women have some kinds of clothes and men have other kinds. The basic aim of women's clothes is to cover their bodies, but there is nothing wrong in them being beautiful as long as they are not provocative. The basic aim of men's clothes is appropriate to their work and there is nothing wrong in them being beautiful either. As Ibn 'Abbas said, "I saw the Messenger of Allah wearing the best robes he had." I would like men to have just one form of dress and women another. Such uniformty of

dress would eradicate the excessive and expensive rivalry which corrupts morals as we see in many circles.

Does Islam have one specific type of dress? No. Some young men imagine that the *jilbab* is the garment of Islam and that the suit is the garment of the unbelievers. This is an error. If we want to preserve "our identity", that is achieved by complete certainty, honourable behaviour, extensive knowledge and pleasant character. In the capitals of the world the Arab *jilbab* has become a symbol of foolish extravagance and madness in blindly obeying appetites and rapacious passions. Does that serve Islam and help to spreads it?

Customs in houses

Let us move on to houses and the style of life inside them. Allah was gracious to people by appointing them houses in which to take shelter and to rest. *"Allah has made your houses resting-places for you and made houses for you out of cattle hides which are light for you to carry both when you are travelling and when you are staying in one place."* (16:80) So it is clear that houses are a blessing for which one must be thankful and that building them is both a custom and an act of worship. Can human beings do without houses?

For that reason, I find it strange when I read this *hadith* which al-Bukhari and Muslim relate from Khabbab ibn al-Aratt: "Our companions who went before us have gone and this world did not cause them any decrease. We have acquired so much that the only way we can spend it is in constructing buildings." Then he said, "A Muslim is rewarded for everything he spends except for what he invests in buildings." These words of Khabbab are coloured by the pessimism that dominated him and which arose from the illness for which he was cauterised. It is not possible to deem building to be a vice, it is a duty.

What must underlie all our conduct is a good intention accompanying or motivating our actions. If the intention is

good, then the action will be good, and that is how customs turn into acts of worship. It is clear that many people do make buildings symbols of importance and domination of others instead of making them places of relaxation and preparation for action in the arena of life. That is clear in the words of Allah to Thamud, *"Remember when He appointed you successors after 'Ad and settled you in the land. You built palaces on its plains and carved out houses from the mountains. Remember Allah's blessings and do not go about the earth, corrupting it."* (7:74)

If we build skyscrapers and live in them praising and glorifying Allah, Allah will accept that from us. But if we build a small house and turn its interior into something demonstrating pride and arrogance, there is no good in it. This is how we explain the *hadith* from Anas in which the Messenger of Allah, may Allah bless him and grant him peace, said, "All spending is in the Way of Allah except building. There is no good in it." The fact is that there are civilisations which have departed and cities which have been destroyed because their buildings were full of clamour in which there was neither thankfulness to Allah nor a trace of fear of Allah. Allah said about these atheistic nations: *"Does the number of generations We destroyed before them not serve to guide them, among whose ruined homes they walk around? There are certainly Signs in that. Why do they not then hear?"* (32:26) Then He says about those who came after them, *"...even though you inhabited the houses of those who wronged themselves and it was made clear to you how We had dealt with them and We gave you many examples?"* (14:45)

And yet I have read a group of *hadiths* that practically turn building into a crime! They should be understood in a correct manner within the context which we will set forth here, and it is absolutely necessary to mention it. The biting criticism I received when I wrote about this topic has made it necessary to present the *hadiths* quoted by the author of *Facilitation of Collecting of the Sources* under the title, "Chapter on Buildings". Since this has proved necessary, I will quote it in full and let its implications become clear to people. Then I will comment on it

afterwards.

Ibn 'Umar said: "I can visualise myself with the Messenger of Allah, may Allah bless him and grant him peace, when I had built a house with my own hands to protect me from the rain and shade me from the sun, and none of Allah's creatures helped me to do it." (al-Bukhari) In one variant, "I have not placed one brick on another since the time the Messenger of Allah, may Allah bless him and grant him, peace, died."

Qays ibn Abi Hazm said: "Khabbab ibn al-Aratt came to visit us when he had been cauterised seven times in his abdomen. He said, 'Our companions who went before us have gone and this world did not cause them any decrease. We have acquired so much that the only way we can spend it is in constructing buildings. If it had not been that the Prophet, may Allah bless him and grant him peace, forbade us to pray for death, I would pray for it.' Then he came another time while we were rebuilding a wall belonging to us and told me, 'A Muslim is rewarded for everything he spends except for what he invests in this earth.'" (Related by the two shaykhs)

Anas reported that the Messenger of Allah, may Allah bless him and grant him peace, said, "All spending is in the Way of Allah except building, which has no good in it." (at-Tirmidhi)

Anas also said: "The Messenger of Allah, may Allah bless him and grant him peace, went out one day when we were with him, and he saw a raised dome. He asked, 'What is this?' His companions replied, 'It belongs to a man of the Ansar.' He was silent and kept it to himself until its owner came to the Messenger of Allah, may Allah bless him and grant him peace, and greeted him among the people. He turned from him, and did so that several times until the man recognised anger and aver-

sion in him. He complained of that to his companions, saying: 'By Allah, I do not know how it is with the Messenger of Allah; I do not know what he has been told about me.' They said, 'He went out and saw your dome.' The man then went to his dome and demolished it until it was level with the earth. The Messenger of Allah, may Allah bless him and grant him peace, went out that day and did not see it. He asked, 'What happened to the dome?' They said, 'Its owner complained to us that you turned away from him. We informed him and so he demolished it.' He said, 'Every building is misfortune for its owner except what is necessary, except what is necessary.'" (Abu Dawud)

'Abdullah ibn 'Amr ibn al-'As said, "The Messenger of Allah, may Allah bless him and grant him peace, passed by me while I was putting mud on the wall of a hut. He asked, 'What is this, 'Abdullah?' I replied, 'It is wall I am mending.' He said, 'The time is too short for that.'" In one variant, "I think the time is too short for that." (Abu Dawud and at-Tirmidhi, who says it is sound.)

Dukayn ibn Sa'id al-Muzani said: "We came to the Messenger of Allah, may Allah bless him and grant him peace, and asked him for food. He said, "Umar, go and give to them.' He took us to an upper room and brought out the key and opened it.'" This shows that there was an upper room, and so there was no harm in building an upper room.

Anyone who reads this collection of these *hadiths* would never think about building either a small house or a lofty castle. He might think that living in a graveyard is closer to *taqwa*. The sound position is that these *hadiths* must be understood within the context of the atmosphere and circumstances in which they were uttered. In normal life, someone may consider marriage and then delay it owing to accidental circumstances, or he may

intend to build a house and then delay it when civil war breaks out. The language used in times of stability is not the language used when anxiety prevails. Madina Munawwara was preoccupied with the task of calling people to Islam, *jihad*, siege and defence, and the mass of the Companions frequently participated in expeditions and raids. They were either fighting or preparing for it.

I see these warnings against building and beautifying dwellings in the context of those circumstances. Otherwise, the basic position is that good things in food, dwelling and marriage are allowed. If the command were taken as a general prohibition, no city would have been built nor any civilisation established. There are scholars among the contemporary Salafis who build tall buildings and then let them out to tenants for whatever purpose they wish. They are, of course, allowed to do so, but then they cannot at the same time forbid other people to build when they are doing it themselves.

Examination of the prohibition of the use of bells shows me that this prohibition was intended to preserve the Islamic hallmark of the *adhan* and to distinguish Islam from the symbols of Christianity. Now that the *adhan* is established and minarets have been raised, there is nothing wrong in hearing bells at railroad crossings, or bells in doorbells, alarm clocks or in tannoys, and so forth.

The Muslim house has its known functions and confirmed customs which apply to it. It is proper and desirable to take them into account when building homes and designing the amenities inside them. In their early period, the Arabs had not inherited an architecture which was in harmony with the new teachings of Islam. It happened that houses normally had no lavatories in them. Old and young, men and women, all went out to the desert to answer the call of nature. Then the circumstances which necessitated this vanished when Islamic society was established and its nature coloured both internal and external life.

There are customs which apply to the bedroom: children should be separated and each given his own bed. Proper manners include asking permission before entering and there are manners for meeting which protect both the milieu and honour. There are precise forms of conduct for personal hygiene in addition to *wudu'* and *ghusl*. There is no doubt that when their civilisation flowered, the Muslims were the purest people on the earth in body and clothes, and that their use of water in washing made their society much more refined. Other Europeans were far dirtier. In modern times everyone is keen to possess the complete means of cleanliness. We are not comparing one set of customs with another. Rather we are exploring the aims of our *deen* and the development of customs which are in harmony with it.

I have read that the western bathroom is bad because it puts the lavatory in the same place where washing is done and because it forces a person to urinate while standing, which is forbidden by Islam. Islam does not forbid urinating while standing nor is there any prohibition against first cleaning oneself with paper and then increasing one's purity through the use of water. We know this from the common usage of purification through the use of stones and then water, or just with water. Islam is the *deen* of the sound natural form. All that elevates the body and respects its splendour and beauty is desirable.

We affirm that the teachings of our *deen* are for all peoples. This will come to pass when, in its name, we produce a civilisation for the human race whose form or meaning, or form and subject accords with the words of the Almighty: *"Anyone who acts rightly, male or female, being a believer, We will give them a good life and We will recompense them according to the best of what they did."* (16:97

Chapter Five
Satanic Possession: Truth and Cure

One day a man knocked on my door saying that he had need of my help. I was tired, but got up to receive him and was astonished at his appearance. He was a giant, in robust health, and displayed no sign of poverty. He began to speak without preamble. He said that he was wretched. I repeated his words and he began to repeat his complaint, insisting that he was a poor wretch. I asked, "Who has made you wretched?" He said, "A jinn has overpowered me." I said laughing, "Why do you not take possession of him? You are a tall strong man." He was silent in confusion. I began to study his features and his general state, and then I said to him, "I do not think you are suffer from epilepsy. Do you have any fits?" He did not say more than that he was possessed. A large number of women and a few men come to me with this complaint. I have to devote some effort to calming their anxiety, allaying their confusion and restoring their psychological and intellectual balance in various ways.

I am aware that spiritual crises and psychological disorders lie behind the claim that a jinn has possessed this person or caused that person to despair. Sometimes I help them with some charms, recitations and good advice to bring about an improvement in their state. To actually dispel their illusions would take a long time. Some scholars of religious science, who noticed that I denied the reality of these claims to be possessed, asked me, "Why do you reject the idea that devils can take possession of people's bodies?" My reply was sharp: "The Noble Qur'an explains to us the enmity of Iblis and his descendants towards Adam and his descendants and states that this enmity does not

go beyond whispering and deceit: *"Stir up any of them you can with your sly voice, rally against them your cavalry and your infantry, share with them in their children and their wealth and make them promises. The promise of Shaytan is nothing but delusion."* (17:64)

In his attack Shaytan does not command any overpowering force. His power is only to render people heedless and nothing more: *"I had no authority over you except that I called you, and you responded to me. Therefore do not blame me but blame yourselves."* (14:22) This idea is repeated elsewhere: *"Iblis was quite correct in his assessment of them and they followed him, except for a group of the believers. Over them he has no authority..."* (34:20-21) Shaytan does not set up any material obstacle in front of a person to stop him going to the mosque. He does not physically push a drunkard so that he goes to drink in a bar. He possesses trickery and machination and no more than that.

One of those scholars told me, "This is true, but what you said does not preclude some evil spirits from assaulting a Muslim and harming him." I asked in exasperation, "Do the evil jinn attack only Muslims? Why do Greeks or Germans have doubts about the jinn taking possession of their bodies?" The reputation of the *deen* is harmed by the spread of these illusions among religious people. You know that the scope of material science has expanded and is well-established. When the 'supernatural' is discussed in this way, then the entire future of faith is in danger. Let us examine the illnesses of those who say that they suffer from this complaint and give their exhausted nerves a rest. There is no reason to accuse the jinn of something they have not done.

A friend came to me and said, "I believe that you will listen to the words of the learned on this subject." I said, "Welcome to the words of the learned. Bring what you have." He said, "Shaytan's afflicting man is confirmed by both the Book and the *Sunna*. As for the Book, it is found in the words of Allah, *'Those who practise usury will only rise from the grave as someone driven mad by Shaytan's touch.'* (2:275) In the *Sunna*, proof is found in the following words of the Prophet, may Allah bless him and grant him peace: 'Shaytan flows in man as his blood flows,' and 'The

destruction of my community is by attack and plague and the thrust of your enemies among the jinn. There is martyrdom in each,' and 'There is no child born but that Shaytan pricks him so that he cries out from being pricked by shaytan – except for the Son of Maryam and his mother.'"

He added that Shaykh Mansur Nasif said: "The fact is that this is common, so that 'Abdullah ibn Ahmad asked his father, as we read in *Akam al-Marjan*, 'My father, some people say that the jinn cannot enter the body of an insane person.' He said, 'They lie. It is that which speaks on his tongue.'" Then Shaykh Mansur said, "This explains the truth and makes it clear. Whoever wishes may believe, and whoever wishes may disbelieve.'"

I replied that dragging in belief and disbelief here is meaningless. Perhaps that arises from the excesses that some religious people go to in their support of marginal cases. The scholars of *fiqh* are free of this sort of behaviour. An astronomer is not concerned about whether the waterways of Alexandria flow into the desert or the Mediterranean. He is not concerned if trading ships go through the Suez Canal or go around the Cape of Good Hope. What concerns me is the doctrine of Islam and the present and future of the Divine Revelation. When newspapers report that Shaykh 'Abd al-'Aziz ibn Baz exorcised a Buddhist shaytan from an Arab and that this shaytan became Muslim, I observed the faces of the readers and I saw in them the gap between science and the *deen*. The importance of the Noble Qur'an is far greater than these cases.

Now we will deal with the evidence mentioned by our friend for the possibility of shaytans taking possession of human bodies and doing what they wish in them! As for the noble *ayat*, *"They will only rise as someone who has been given mad by Shaytan's touch,"* most commentators believe that it refers to the Day of Judge-ment. The reason for this explanation is that no one sees those who consume usury lying on the roads about to be trodden underfoot! Therefore they say that this will occur when they meet Allah and are held to account for their greed and injustice. The author of *al-Manar* said, "On this basis the *ayat* does not

confirm or deny that the epilepsy is actually the result of the action of Shaytan. There is disagreement on the subject between the Mu'tazilites and some of the people of the *Sunna* as to whether Shaytan can do anything to man other than what is designated as 'whispering'. Some say that epilepsy is caused by the touch of Shaytan, which would be a clear analogy, even if there is no text on it. It has, however, been established by modern doctors that epilepsy is a nervous disorder which is treatable, like other illnesses, with drugs and by other means."

As for the *hadith* which mentions Shaytan flowing through man like blood, the narrative which it is found in explains what is meant by it. Safiyya, the wife of the Messenger of Allah, said, "I went to visit the Messenger of Allah, may Allah bless him and grant him peace, during the night while he was in *i'tikaf*. I spoke to him and then got up to return home. He got up to accompany me. Two men of the Ansar passed by. When they saw the Prophet, they hurried up. The Prophet said, 'Easy! It is Safiyya bint Huyayy.' They said, 'Glory be to Allah, Messenger of Allah.' He said, 'Shaytan reaches everywhere in a man that his blood reaches and I feared that he might cast evil – or he said 'something' – into your hearts.'" The clear intent of the *hadith* is to forestall the whispering that Shaytan initiates on this sort of occasion. Moreover, the two companions denied it and thought it terrible that any bad thoughts should arise in themselves about the protected Prophet, peace be upon him. The Prophet wanted to prevent that whispering. The *hadith* has no link with satanic possession of a human body.

As for the other *hadith* about the plague and the onslaught of the jinn who are the enemies of mankind, we find an adequate explanation given by the author of *al-Manar*: "Theolgians believe that the jinn have subtle living bodies which are invisible. As we have mentioned elsewhere, the invisible living bodies called microbes whose existence are known today by means of microscopes may be a type of jinn. It has been established that they are the cause of most illnesses. As we have mentioned, this is a plausible alternative explanation is the theory that the plague

is caused by contact with the jinn. We Muslims do not need to dispute things which science has established and doctors have confirmed, or to ascribe to them anything unsupported by scientific evidence simply for the sake of declaring certain Traditions conveyed by only a sinlge line of narration sound. We praise Allah since the Qur'an is too sublime to be contradicted by science."

Next we come to the *hadith* about Shaytan 'pricking' a person. It gives the impression that Shaytan is crouching under the womb to receive the arriving new-born child. Filled with envy, he says, "My business with your first ancestor is not over yet. I will try to bring you down as I did him." When he pricks him, the new-born infant cries out and then after that he begins his life outside the womb. Maryam's mother showed her anxiety for her when she asked Allah to protect her and protect her offspring: *"and I have named her Maryam and entrusted her and her children to Your safekeeping from the Accursed Shaytan."* (3:36) Maryam and her son are in any case are among the righteous servants of Allah, and Shaytan has no power over those servants.

Let us examine this with reference to the statements of exacting scholars. The author of *al-Manar* says: "The *hadith* of Abu Hurayra is found in al-Bukhari, Muslim and elsewhere. The version here is that of Muslim: 'Every descendant of Adam is touched by Shaytan on the day his mother bears him except for Maryam and her son.' Al-Baydawi explains the 'touch' here as desire for wrongdoing." He says, "If the *hadith* is sound, it is a metaphor, not literal. That is perhaps what al-Baydawi had in mind." Rashid Rida adds, "The *hadith* has a sound *isnad* without dispute. It is like the *hadith* which recounts how the Prophet's breast was split open and his heart washed and the portion of Shaytan removed from it. It is a more explicit metaphor. Perhaps it means that Shaytan has no further access to his heart, not even by whispering, as is indicated in his words about his shaytan, 'Allah helped me against him and he surrendered.' Or in the variant of Muslim, 'And he only commands good.'"

The author of *al-Manar* stated: "What we believe to be true is that Shaytan has no power over the sincere servants of Allah, the best of whom are the Prophets and Messengers. As for the statements in the *hadith* of Maryam and 'Isa concerning Shaytan not touching them, the *hadith* about the submission of the shaytan of the Prophet, may Allah bless him and grant him peace, and the *hadith* of the removing of Shaytan's portion from his heart, they are probable reports because they are *hadiths* with single lines of transmission. Their subject concerns the world of the Unseen, and belief in the Unseen is part of dogma. Probability is not accepted in these circumstances since Allah says, *'Conjecture is of no avail whatever against the truth.'* (53:28) We are not obliged to believe in the contents of these *hadiths* in our creeds."

Someone asked, "Does he object to single *hadiths* on the subject it in favour of what he considers to be valid? The position of the *Salaf* regarding these *hadiths* is to reserve all knowledge of what they mean to Allah." I prefer the school of the *Salaf*, but defending our *deen* against the enemies of Islam requires greater caution and wakefulness. I do not want to open the doors of legerdemain, magic and charlatanry simply on the basis that a devil has taken possession of a human body. In the time of 'Ali, the police arrested a man who had beaten an invalid with his staff until he killed him. The fool thought that he would beat the shaytan to drive him out with his stick. He said to him, "Depart, enemy of Allah!" The tragedy ended with him killing an unfortunate sick person. Most of what the author of *Akam al-Marjan* relates about the jinn is superstitions and fantasies, even if Ibn Hanbal, Ibn Taymiyya and others mention them.

We know that the earth on which we live is like a tiny speck of dust in a vast universe that is buzzing with life and living beings. Indeed, our earth is a grain of sand on the shore of a vast universe whose ends cannot be imagined by us! We sense the immensity of the angelic world when we consider the findings of the astronomers and the mere drops of the knowledge which filter through to them from constant examination of space. We

can state that it is foolish to suppose that we are the only living creatures in this vast universe. Someone who builds a skyscraper would not leave all of it uninhabited except for one small room. The world is full of the living beings which Allah created to point to His existence and to attest to His glory, and part of the delusion of mankind is that they reckon themselves to be the only life in the universe.

When we look into the Qur'an we perceive that truth. Allah says: *"Everyone in the heavens and the earth belongs to Him. Those in His presence do not consider themselves too great to worship Him and do not grow tired of it. They glorify Him by night and day, without ever flagging."* (21:19-20) He says, *"Among His Signs is the creation of the heavens and earth and all the creatures He has scattered about in them. And He has the power to gather them together whenever He wills."* (42:29) There are many *ayats* which express the same idea. From them we know that the descendants of Adam are a part of creation and not the sole intelligent creatures. There are also the angels. We will not speak not about their duties. There are other beings about whose behaviour and way of life we know nothing. There is also the world of the jinn which are alluded to here.

The Noble Qur'an tells us that the greatest shaytan is Iblis, the enemy of Adam and his sons. It tells us that the jinn eat, procreate and have moral responsibility, and that they include believers and unbelievers, godfearing and iniquitous. We know that the jinn have a mode of life peculiar to them, that they are stronger than us, and that they see us but we do not see them. In spite of that, there are human beings to whom Allah gives the power to subjugate the jinn, such as Sulayman. We read in the story which describes his power: *"And some of the jinn worked under his supervision, by the permission of his Lord. And if a single one of them deviated from Our command, We let him taste the punishment of the Searing Blaze. They made for him anything he wished: high arches and statues, huge dishes like cisterns, great built-in cooking vats..."* (34:12-13)

In this context the Qur'an revealed that the jinn do not know

the Unseen, and that their pastime of misleading the sons of Adam does not exceed evil devising and drawing on those who are heedless. That is why He says in describing the rebels among human beings, *"Iblis was quite correct in his assessment of them and they followed him, except for a group of believers. Over them he has no authority except to enable Us to know those who believe in the Next World from those who are in doubt about it..."* (34:20-21) Consider the sentence, "Over them he has no authority " and you will see the limits placed on Shaytan's power to harm.

Are invisible germs part of the world of jinn? The author of *al-Manar* does not think the possibility unlikely. He finds evidence for this in the *hadith* about the cause of the plague. His view may be correct. The wicked jinn can see the world of germs and may have the power to afflict man through these germs and the diseases that they carry. Perhaps the fact that believers are asked to seek refuge from the jinn at certain times and places attests to that. When a Muslim goes to the lavatory, he is obliged to say, "I seek refuge with You from foulness and foul things." When he has intercourse with his wife, he says, "O Allah, protect us from Shaytan and keep Shaytan far from what You provide us with."

I do not want to continue along a path which has no known signposts; and I do not want to occupy the Muslims with trivial matters when their lands are exposed and borders attacked. There are priests in monasteries who claim that they control the jinn and there are men among us who repeat the selfsame claim. There is ample opportunity for the superstitious to make a show and boast. We must never forget the words of Allah to every Muslim, *"Do not pursue what you have no knowledge of. Hearing, sight and hearts will all be questioned."* (17:36) A true Muslim refutes delusions and affirms certainty and is not disturbed by the hoaxes of sick people.

I read a *hadith* which made me think. 'Ata' ibn Abi Rabah reported: "Ibn 'Abbas said to me, 'Shall I show you a woman who is one of the people of the Garden?' I said, 'Please do.' He

said, 'A black woman came to the Prophet, may Allah bless him and grant him peace, and said, "I have fits during which I expose myself. Pray to Allah Almighty for me." He replied, "If you wish, you can show fortitude and you will receive the Garden, and if you wish, I will pray to Allah Almighty to heal you." She said, "I will show fortitude." She added, "I expose myself, so pray to Allah that I do not expose myself." So he prayed for her.'"

This woman who was afflicted by fits preferred to die with the guarantee of entering the Garden as the Messenger of Allah, may Allah bless him and grant him peace, informed her. All that she wanted was for her body not to become uncovered during unconsciousness as a result of her fits. The Prophet guaranteed that to her. I thought, "If her illness had been from Shaytan taking power over her, would the noble Prophet leave her the victim of that accursed one? I do not think so." What would have happened if the woman had lived now? Perhaps she would have been treated with electric shocks to be cured. Perhaps someone would have said, "She is possessed by a devil," and continued to beat her until the alleged devil left her. Perhaps she would have died from the severe beating.

There is nothing to prevent us from discussing the entire subject in an open and fair way. As for the one who strongly objects, and involves faith and disbelief in the question, that makes the *deen* seem like the behaviour of madmen or fools! The answer as to who is right and wrong here lies in diagnosing the illness. What others accept I simply find unlikely. I want to protect our community from swindles, amulets, numerology and astrology, and belief in ghosts and the power of the jinn. The real illness is found in the people who accuse me of denying the jinn and the world of the Unseen simply because I reject their delusions. Such people constitute a trial for Islam.

People in our time are suffering from alienation and stress. I have met young men and women who claimed that they have been touched by Shaytan and whose nerves were completely

shattered. What they really need are kind teachers. In parts of Europe and America psychologists play a great role in treating these disorders, even though most of those doctors are followers of Freud, a man of defective ideas and excessive lust. The prescriptions of this school are based on combating repression and giving free scope to the self. Constant repression may indeed be a fault or an affliction, but temporary suppression is the foundation of education and progress, and the difference between the two is not known by those who lack faith, have abandoned the prayer and are addicted to their appetites.

There is something more appropriate for religious people and others to acknowledge: that shaytans among men and jinn spread in every place and try to make everyone fail. Seeking refuge from them is both mandatory and beneficial. Allah commanded His Prophet to say: *"Say: 'O Lord, I seek refuge with You from the goadings of the shaytans, and I seek refuge with You, O Lord, from their being present with me.'"* (23:97-98) The Messenger of Allah, may Allah bless him and grant him peace, used to say, "I seek refuge with Allah, the All-Hearing, All-Knowing, from the accursed Shaytan in his goading, blowing and spitting." One of his supplications was, "O Allah, I seek refuge with You from senility, I seek refuge with You from house collapse and from drowning, and I seek refuge with You from Shaytan making me confused at death." This course is better than believing that the devil takes possession of a human body and then using various delusions to exorcise him.

Chapter Six
The Qur'an is the First Source of *Fiqh*

Reading only a little of the Noble Qur'an but many *hadiths* does not give a person a proper picture of Islam. Indeed, one could say that it resembles malnutrition: there must be a balance of elements which nourish the body and intellect equally. Let us look at some examples of what happens when people do that. As-San'ani, for instance, thinks that vows are *haram*, relying on the *hadith* of Ibn 'Umar from the Prophet, may Allah bless him and grant him peace, that he forbade vows, saying, "A vow brings no good. It is extracted from the wealth of the miser."

The type of vow referred to here which brings no good is a conditional vow which resembles an exchange of trading goods. A man says, "I will do this for Allah if I am healed of my illness," or "If my son passes his exams," etc. As for other vows involving obedience to Allah, there is nothing wrong with them as long as they are legally sound. The question is how there could possibly be a basic prohibition of vows when Allah Almighty says in describing the pious: *"They fulfil their vows and fear a Day whose evil will spread far and wide,"* (76:7) and *"Then they should end their state of self-neglect and fulfil their vows and circle the Ancient House."* (22:29)

I realised that ignorance of the Qur'an has reached shocking levels when I read the comments about a *hadith* found in Muslim: "It is unlawful to eat any animal with fangs." The commentary on the *hadith* claims that the *hadith* was uttered in Madina and abrogated what was revealed in Makka when Allah says, *"I do not find, in what has been revealed to me, any food unlawful to be eaten except for carrion, flowing blood, and pork – for that is*

unclean – or some deviance consecrated to other than Allah." (6:145) The claim that a single *hadith* can abrogate an *ayat* of the Qur'an has no basis. Furthermore, the concepts contained in the *ayat* said to be abrogated are repeated four times in the Qur'an: twice in Makkan *suras* – *Surat al-An'am*, and *Surat an-Nahl* – and twice in Madinan *suras* – *Surat al-Baqara* and *Surat al-Ma'ida*. What we read in *Surat al-Ma'ida* was the last part of the Revelation to be revealed! How can any intelligent man think that such an abrogation could have occurred after it? There were also a number of Companions, including Ibn 'Abbas, and a number of Followers, including ash-Sha'bi and Sa'id ibn Jubayr, who rejected the *hadith* in Muslim. So how can we abandon an *ayat* for a *hadith* which is subject to dispute?

Let us move on to a *hadith* which applies to the area of what we would today call international law. 'Abdullah ibn 'Awn wrote to Nafi' to ask him about issuing an invitation to Islam before initiating fighting, meaning inviting people to enter Islam before the battle. 'Abdullah said, "He wrote to me: 'That was only in the beginning of Islam. The Prophet, may Allah bless him and grant him peace, attacked the Banu'l-Mustaliq when they were not expecting it.'" Nafi', may Allah forgive him, was wrong. Inviting people to Islam existed at the beginning and still continues now. The Banu'l-Mustaliq were only fought after the call had reached them. They rejected it and so they were fought.

This transmission from Nafi' is not the first error with which he was involved. He related something worse than that. He said, "I used to hold the Qur'an for Ibn 'Umar when he recited the words of the Almighty, *'Your women are fertile fields for you, so come to your fertile fields however you like...'* (2:223) He said, 'Do you know what this *ayat* was revealed about?' 'No,' I replied. He said, 'It was revealed about a man who came to his wife from behind and was deeply upset about it and so this *ayat* was revealed.'" 'Abdullah ibn al-Hasan reported that he met Salim ibn 'Abdullah ibn 'Umar and asked him, "Uncle, what is the report which Nafi' recounted from 'Abdullah in which he says that he did not see anything wrong in having relations with

women by way of the anus?" He said, "'Abdullah erred and was wrong. 'Abdullah [ibn al-Hasan] said, 'They may come to them in their vaginas from behind.'"

Returning to Nafi's transmission that there is no call to Islam issued before fighting, adherents of *hadith* who have little understanding adopt it in spite of the fact that it is suspect. As-San'ani has a chapter entitled "Attacking without Warning." Attacking without warning? How can this course be envisaged in the face of the words of the Almighty, *"If you fear treachery on a people's part, revoke your treaty with them mutually. Allah does not love treacherous people,"* (8:58) and *"If they turn their backs, then say: 'I have informed all of you equally and I do not know if what you have been promised is near or far'"* (21:109)?

The strange thing is that Nasir al-Albani, one of the most knowledgeable scholars of *hadith* in our time, censured me for turning from the transmission of Nafi' and preferring other transmissions to it when I described the nature of fighting in Islam. In my book, *Jihad of the Message: Incapacity Within and Devices Without*, I list more than a hundred *ayats* that uphold freedom of religion and the establishment of clear faith based on personal conviction and dismiss the use of force in the Path of Clear Transmission. There is no other book than the Qur'an in the history of human culture which produces a believing intellect and which presents the signs of Allah to people both inside themselves and on the horizon so that they become sources of knowledge of Allah.

Among the Muslims, however, there are some who forget all that and stop with a confused narrator who claims that the call to Islam came only at the beginning of Islam and was then abrogated. Who abrogated it? There is a specific command in *Surat at-Tawba* which was revealed in 9 AH. It says about the unbelievers, *"But if they turn away, say, 'Allah is enough for me. There is no god but Him. I have put my trust in Him. He is the Lord of the Mighty Throne.'"* (9:129) Is there a whiff of compulsion in this conclusion? Faith is the basis and *jihad* the protector, and this protection will remain an abiding duty as long as there are any in

this world who threaten security and deny faith. This indicates that *jihad* is a means and not an end. On the day when liberties dominate all areas of life and the branches of *tawhid* grow and no one is seen to break or burn them, then there will be no fighting or killing. Indeed, there is no fighting when sedition disappears and justice becomes widespread.

That is our *deen* as explained by the *ayats* of the Noble Qur'an and as was demonstrated in the life of the blessed Prophet. There are four passages in the Noble Qur'an which show us what the three main aims of the final Message are. They which can be summarised as follows:

- Recitation of the Revelation or reading about the Path along which the Muslims are to proceed or defining the area in which they act.
- The education of the Community through the promotion of their powers for good and curbing unrestrained instincts.
- Confirmation of the detailed rulings contained in the Book to order the individual, society and the state. They are rulings characterised by wisdom and correctness.

These three are the elements of the Message which the great Prophet espoused and by which he revived the legacy of those before him and protected the world from terrestrial philosophies and human sects. The three are first mentioned in the good news of the final mission when Ibrahim and Isma'il asked their Lord to send Muhammad. *"Our Lord, raise up among them a Messenger from them to recite Your Signs to them and teach them the Book and Wisdom and purify them. You are the Almighty, the All-Wise."*(2:129)

They are all mentioned again when *al-Masjid al-Haram* was established as the *qibla* of people of the East and West. So the fact that people were commanded to face the Ka'ba was another blessing Allah bestowed on the Arabs in addition to the fact that

the Prophet was sent among them. It was an honour for their land after their race had been honoured. *"For this We sent you a Messenger from among you to recite Our Signs to you and purify you and teach you the Book and Wisdom and teach you things you did not know before. Remember Me and I will remember you. Show thanks to Me and do not be ungrateful."* (2:151-152)

They are mentioned a third time after the defeat of Uhud when the believers' hearts were breaking and needed to be mended. That passage is in *Surat Al 'Imran* and comforts the vanquished and reminds them of their Message. *"Allah showed great kindness to the believers when He sent a Messenger to them from among themselves to recite His Signs to them and purify them and teach them the Book and Wisdom even though before that they were clearly misguided."* (3:164)

They are mentioned a fourth time when the secret was revealed about why the Jews are far from the Message of Allah, and why the Arabs have replaced them since the tribe of Israel failed to follow Divine guidance: *"It is He who raised up among the unlettered people a Messenger from them to recite His Signs to them and purify them and teach them the Book and Wisdom, even though before that they were clearly misguided, and others of them who have not yet joined them. He is the Almighty, the All-Wise. That is Allah's favour which He gives to anyone He wills. Allah's favour is indeed immense."* (62:2-4)

That is our Message with its central headings. There is no doubt that *jihad* is a right designed to provide security for *da'wa* and to defeat those who seek to undermine the *deen*. It is a lie against Allah and the Messengers to describe Islam as initiating fighting with others and being thirsty for their blood. We have dealt with this subject in full in another book but the need to speak about it is still pressing. It is the story of a lie that persists.

In these unhappy times disputes have spread throughout the Muslim nation, causing Muslims to kill one another. The deaths resulting from this internecine fighting are greater in number than those killed in fighting Christian colonialism and the Jews.

In general, governments in Muslim countries have far poorer records in respect of justice and cleanliness than the majority of kafir governments. The Muslim masses possess little by way of culture, productivity and capacity in life and its duties. Their prevailing customs are very far from Islam in both spirit and action. The Muslim Community is now the one in the greatest need of teaching, education and self-recognition.

In spite of the fact that this is our current situation, some people still produce the *hadith*, "I was sent with the sword before the Hour and my provision was put under the shadow of my spear, and abasement and belittlement are heaped on those who oppose my command..." My reply to them is: "I too wish that you had a sword with which to defend the Truth and repel its enemies from it. The truth is drowning and no one calls for help. Would that you had a spear under whose shade you could receive provision!. You are asking for your provision from the crops of your enemy. He is the one who makes the weapons which you buy at such a high price, for purposes which Allah alone knows! What do you have to do with this *hadith*?"

A student said to me, "The *hadith* refutes all you say!" I said: "I will pass over the weakness of this *hadith* from the point of view of its *isnad*, and I will not attack its soundness, although it has been attacked. But I ask, 'Why do you not study the *deen* and its *fiqh* and act on it and then call people to it in a proper manner? When a scholar sees you as being at a lower level than him, he will not listen to you and will not agree to follow you. It is not permitted for the imam to be more ignorant than the follower. What is the role of the sword in your hands when you wrong one another and stray from the path of right guidance?'"

I told him that Lenin, the first ruler of the Communists and the one who put the theory into practice, wrote a book about the infancy of the Left, in which he announced the death of a whole generation of people who raised the banner of Communism and did not serve it well. He said, "This is infancy, and infancy is distinguished by incapacity and obstinacy. It must be

expelled from the arenas of action so that Communism can expand without hindrance."

Today there exists an infantile Islamic tendency which desires to gain sole control over the reins of the Community. When those with intelligence listen to their discourse, they bow their heads in sorrow. The alarming thing is that it is an infancy of intellectuals which includes people with beards and people of importance and stature. They read *hadiths* which they do not understand and then present a form of Islam which evokes repulsion and fear. Our Prophet, peace and blessings be upon him, said many things and his words must be respected and obeyed. *"We sent no Messenger except to be obeyed by Allah's permission."* (4:64) But it is only possible to learn what is meant by the things he said if we ascertain the exact circumstances in which he said them.

Whatever the case, the framework of the Noble Qur'an is precise and exact. We notice that the Qur'an contains a great deal of dialogue directed at its opponents. First of all, we are required to grasp the presentation of its proofs as to the truthfulness of its doctrine and the nobility of its forms of worship. The benefit to which it summons people is righteous action and noble goals. Throughout its *suras* we find fervent appeals to man to take heed, return to right guidance and to turn to his Lord.

The policy of the big stick only began after the sticks of the enemies had inflicted pain on the backs of the believers and broken their bones. Allah Almighty revealed, *"Permission to fight is given to those who are fought against because they have been wronged – truly Allah has the power to come to their support."* (22:39) The fact is that fighting was a policy of last resort when all other means had failed. The important thing is that those who are known for their relationship with Allah first of all call people to Allah in an excellent manner and offer opportunities for peace and truces, taking account of the errors to which human nature is prone. Then when they resort to fighting after that, they behave as men and they act in the most noble way.

This is what Muhammad, peace be upon him, did, and what is shown clearly in his conduct. But when the first thing a short-sighted Muslim mentions about dealing with the enemies of Islam is the famous *hadith*, "I was commanded to fight people until they say, 'There is no god but Allah,'" then the man is one of those who move words from their proper place and treat the legacy of the Prophet with great stupidity. We explained in another book that this *hadith* came at the time when *Surat at-Tawba* was revealed, about a year before the death of the Messenger, and after a fearsome struggle with the pagans whom Islam gave the right to live while they offered only death. He lived with them for a time on the basis of *"To you your deen and to me my deen,"* but all he experienced from them was deceit and assassination.

The last attempt that paganism made to bring back the dark night of disbelief to the Arabian peninsula occurred when a liar called Musaylima launched an alarming apostasy movement which was only extinguished by the blood of many of those who knew the Qur'an by heart. They gave their all in extinguishing it so that they were almost wiped out and it was feared that all of those who knew the Qur'an by heart would disappear owing to the great number of them who were martyred. The beginning of *Surat at-Tawba* gives a complete picture of that insolent treacherous paganism, and it was in this atmosphere that this *hadith* was uttered: "I have been commanded to fight people until they say, 'There is no god but Allah.'" It is not permitted for an ignorant person to take it out of context.

Was it uttered on the day when the Prophet went up Safa in the morning and began to speak to the ignorant about the Resurrection and to call them to *tawhid*? Was it spoken on the day when he returned broken-hearted from Ta'if and entered Makka under the protection of an idolater? Was it said on the day when he gave people in Madina the right to join the idolaters in Makka and leave the *deen* if they felt oppressed by its obligations? Praise be to Allah! Not a single man or woman apostatised or joined the idolaters. Rather the opposite happened.

Was it uttered in the *'Umra* of Fulfilment, a year before Makka was conquered, while he was performing *tawaf* of the Ka'ba while there were hundreds of idols around it? He did not break any of the idols nor break a treaty he had made with the idolaters.

The people of *fiqh* in the past were those who told people about Islam and acquainted them with the legacy of prophethood. Those of us involved with calling people to Islam are extremely interested in observing the states of people beyond the Abode of Islam. We examine the currents of thought which dominate them and the moral and religious teachings with influence among them and their culture and the amounts of manufacturing which they produce for the world. How can we call them to Islam in a proper manner if we do not know any of that? I read some words by Ahmad Baha'u'd-din in which he explained something of that. He said:

> Some readers think that I admire American and European society when I speak about them in my journeys. That is true, but I also dislike other things about them. You see, this is what I prefer to transmit to people in my land. Some prefer to point out the weak points in other societies. That is self-deceit and being satisfied with delusion and feeling certain that we are better than others. That is a very costly stupor! Here we like to conceal our faults and illnesses. There they hasten to debate their social illnesses openly and clearly. That is why they seek to cure them while the illness remains hidden among us.
>
> So whatever we do not see or mention is considered to be non-existent. That is the affliction of societies which conceal things: they continue in their hypocrisy until they are destroyed. Others have taken this step and have begun to challenge these shortcomings forcefully. Drugs and alcohol become a national and official problem. News about AIDS erupted like a bomb when it

appeared, while we refer to the appearance of cholera as 'a summer disease', and all is calm.

Furthermore, the English consider us lazy because they work from morning to evening. The Americans consider the English lazy because the Americans work twice as hard and do not interrupt their working day even for a beer. Anyone who sees the Americans at work would imagine that they were a poor people building their future through toil and struggle even though they are the wealthiest of people! Now the Japanese are accusing the Americans of laziness! Americans are alarmed about work-related illness, striving, and self-denial among the Japanese. They think that they are ill because they deny themselves any relaxation at all. That is why they think that competition between those two great peoples is not fair. This is the world which advances around us.

I have noticed the strength of widespread values among them which do not require great efforts to implement but which bear much fruit and great results: order, respect for roles, and general rules for a complete tidy life, so there is not a single leaf to be found on the ground.

This is the cultural race between the industrial nations in Europe and America and Asia! Do you see any such reports about the Arabs and Muslims? It is confirmed that we are consumer people who do not produce and who import far more than we produce. It is impossible for Islam to be successful when that is the condition of those who convey it. Authority in this life is derived from power and expertise: that is the only means for the victory of principles and ideologies.

At the time when the first Muslims fought the two great states of Byzantium and Persia, they were more entitled to victory because they fought their enemies in the traditional known arenas. They carried the same weapons but were superior to

them through their true faith and the support of Allah. Then the Muslims declined and became backward in all areas of life; they have been overpowered by western ideas. They understood rising above the delusions of this world to mean abandoning this world entirely, and believed that success in it is gained by fleeing from it not by taking part in it, and overcoming its difficulties. They have forgotten the teachings of the Qur'an which state that the earth was created for people and that being firm in it is a part of the Message which concerns this life and the Hereafter. These teachings have been replaced by *hadiths* which call for poverty and divestment.

Furthermore, upon reflection, these *hadiths* contradict other *hadiths* which have a sounder *isnad* and text than they have. They also oppose the logic of the Qur'an which states that *jihad* is a pillar designed to protect faith, its rules and branches. I find that these *hadiths* are widespread and dominate the consciousness of the masses. I have read fifty *hadiths* which encourage poverty and lack of possessions, the virtue of the poor, wretched and victims, love for them and sitting with them, just as I read seventy-seven *hadiths* which encourage asceticism in this world and having the minimum of it and threaten those who love it, having a lot of it and competition for it. I saw another seventy-seven *hadiths* about how the livelihood of the *Salaf* was barely adequate.

Al-Mundhiri mentioned all of them in his book, *at-Targhib wa't-Tarhib*, which is one of the important books of the *Sunna*, may Allah have mercy on the author and forgive us. His intention was good and he gave good advice to the Community. Sound understanding, however, demands another method and a better guided course of action from us. We know that love of this world destroyed the first and last, and that it lies behind the shocking crimes which the elite classes commit against the common people, leaders against followers, and the intelligent against fools; but the sound cure for the chronic illness lies in mastery of this world and then rising above its baseness.

It is good for you to possess more treasure than Qarun and

wield wider powers than those of Sulayman if you then use that in support of the truth when the truth needs a buttress, and abandon it for Allah's sake when death is nigh. As for living in utter poverty and reckoning that vagrancy is the Path to the Garden, this is madness and self-deception. When atheism has imposed its power through control in the earth, your abandoning control of the earth is a worse outrage than fornication and usury.

We will discuss some of what of reported about this to enable us to grasp what lies behind these reports. Anas ibn Malik said, "Salman al-Farisi was fatally ill. Sa'd ibn Abi Waqqas visited him and saw that he was weeping. Sa'd asked him, 'What makes you weep, my brother? Did you not keep the company of the Messenger of Allah, may Allah bless him and grant him peace. Were you not this? Were you not that?' Salman replied, 'I am not weeping from either reluctance to leave this world nor dislike of going to the Next. But the Messenger of Allah, may Allah bless him and grant him peace, made a contract with us, and it seems to me that I have only broken it!' Sa'd asked, 'What was your contract?' He said, 'He made a contract with us that each of us should have only what which is adequate, like the provision of the rider, and I think that I have exceeded that. As for you, Sa'd, fear Allah in your ruling when you give judgement, in your distribution when you divide, and in your plan when you decide!'" Al-Mundhiri said, "We read in the *Sahih* of Ibn Hibban that Salman's property was collected after his death and it amounted to fifteen dirhams."

Salman was one of the great and loyal Companions. The *hadith* shows that he feared to meet Allah even though he left only fifteen dirhams. This is a picture which evokes fear and humility: the sight of one of the commanders of the Islamic conquest meeting his Lord with this divestment and piety at a time when you see the generals and commanders full of this world without limits! But there is a question of *fiqh* here: Sa'd ibn Abi Waqqas, who was speaking with Salman, heard this directive from the Messenger of Allah: "It is better for you to

leave your heirs rich than to leave them in need, begging from people." So a large legacy is certainly not a crime! Sa'd ibn Abi Waqqas was one of the ten promised the Garden, as we find in the *Sunan*, and those ten were all wealthy Muslims. There was not a poor man among them. Transmitters claim that one of them left so much gold that it was made into axes.

The problem is not in owning vast wealth: the problem is in how to use it and how to spend it. In this world we have seen rich men who have built colleges to act as fortresses of knowledge and study, rich men who have combated illness and hardship with great vigour, and rich men who have offered their nations the taxes they paid to assist in matters of general public interest. 'Uthman ibn 'Affan offered a stupendous amount of money in preparing for the Expedition of Hardship, and the Messenger said, "O Allah, be pleased with 'Uthman! I am pleased with him." The fact is that the *hadith* of Salman only represents a particular psychological state and does not imply a general legal judgement.

We must also note what Ahmad related from Abu 'Usayb. He said, "The Messenger of Allah, may Allah bless him and grant him peace, went out in the night and passed by me. He called me and I went to him. Then he passed by Abu Bakr and he called him and he went to him. Then he passed by 'Umar, and he called him and he also went out to him. He entered a garden belonging to one of the Ansar and said to the owner of the garden, 'Feed us.' The man brought some dates and set them down and the Messenger and his companions ate. Then he called for cold water and drank. He said, 'You will be asked about this on the Day of Rising.' 'Umar took the bunch and struck the ground with it to separate the dates for the Messenger of Allah. Then he asked, 'Messenger of Allah, will we be questioned about this on the Day of Rising?' He replied, 'Yes, except about three things: a piece of cloth used to cover the private parts, a morsel used to ward off hunger, and a room used for shelter against heat and cold.'"

In another transmission we find, "The son of Adam has no

right to other than these." The transmission from 'Uthman ibn 'Affan has, "A house to shelter him, a garment to cover his nakedness and a crust of bread and water." The version in al-Bayhaqi has: "The son of Adam has no right to anything beyond the shelter of a house, a piece of bread and a garment with which to cover his private parts."

Are these transmissions then false? Perhaps some people believe that that is what I think! No, they are true; but the fact is that they apply to a limited area for a limited aim. They are to be taken like medicine to prevent us becoming too concerned with this world or miserable about some deprivation that befalls us. And how many people have nothing but those necessities? Yet in spite of that, they continue to live! How many people in times of war and crises live with only these minimum requirements but nevertheless do not die? How many people have many times more than that amount of provision and yet are not grateful? 'Uthman ibn 'Affan was one of the people who related these ideas and yet he was a wealthy man. He took them to mean that a person should seek the Next World and rise above the base qualities of miserliness and avarice.

Fiqh must embrace many varied transmissions within its scope. Literalists stop at these traditions and then try to halt the whole Islamic world in its tracks, as the donkey of the shaykh stopped at a pass and would neither go forward nor back. It appears that they would prefer to return to the Stone Age in some respects. It is clear that a simplistic understanding of these transmissions and giving them disprortionate esteem is a long-standing disease of which we should be very wary.

At-Tirmidhi transmitted from al-Harith al-A'war: "I went by the mosque and found the people there delving into *hadiths*. I went to 'Ali and told him. He said, 'Are they really doing that?' 'Yes,' I said. He said, 'As for me, I heard the Messenger of Allah, may Allah bless him and grant him peace, say, "It will become a trial." I asked, "What is the way out of it, Messenger of Allah?" He replied, "The Book of Allah contains news of what was before you, reports about what will come after you, and judge-

ment of what is among you. It is a Decisive Word and is not a joke. If any tyrant abandons it, Allah Almighty will crush him. If anyone seeks guidance from other than it, Allah Almighty will misguide him. It is the firm rope of Allah. It is the Wise Reminder and it is the Straight Path. It is that which sects cannot make deviate and which cannot be disordered by tongues. Scholars can never have their fill of it and it does not wear out by repetition. Its wonders do not end. When the jinn heard it, it made them say, *'We have heard a most amazing Recitation. It leads to right guidance, so we believe in it.'* (72:1) Who-ever utters it is truthful. Whoever acts by it is rewarded. Whoever judges by it is just. Whoever calls to it is guided to a Straight Path." Take it for yourself, A'war.'"

A religious judgement cannot be made on the basis of one *hadith* separate from others. One *hadith* must be added to other *hadiths* and then the combined *hadiths* compared with what the Qur'an indicates. The Qur'an is the framework within which *hadiths* are acted upon and it must not be overstepped. Anyone who claims that the *Sunna* overrules the Book or can abrogate any of its rulings is deluded.

What we say is further clarified by what Ibn Kathir reported in his *tafsir* from Imam Muhammad ibn Idris ash-Shafi'i. He said, "Every judgement made by the Messenger of Allah, may Allah bless him and grant him peace, is part of what he understood from the Qur'an. Allah Almighty says, *'We have sent down the Book to you with the Truth so that you may judge between people according to what Allah has shown to you. But do not be an advocate for the treacherous.'* (4:105) He said, *'And We have sent down the Reminder to you so that you can make clear to mankind what has been sent down to them so that perhaps they may reflect.'* (16:44) This is why the Messenger of Allah, may Allah bless him and grant him peace, said, 'Have not I been given the Qur'an and the like of it with it?' – meaning the *Sunna*."

That is true. The life of Muhammad, peace be upon him, was a practical demonstration of the directives of the Qur'an. His life in worship, character, *jihad* and behaviour was simply the

living out of the Qur'an; and it transformed the earth and produced a totally new culture. If it had not been for the *Sunna,* which comprises word and deed, the Qur'an would have remained like other theoretical philosophies which are constructed in the world of imagination. The *Sunna* of Muhammad applies to social, civic and military areas and, before all of that, to the laws of worship and belief which form an integral part of the eternal Message. So Islam is formed from both Book and *Sunna* in the same way that water is formed from the well-known elements of which it is constituted.

In this context we, of course, discount weak transmissions and faulty *hadiths* in the same way that we discount deviant explanations and discordant understandings of the Qur'an itself so that the Divine Revelation will remain pure. Great mounds of weak *hadiths* fill up the horizons of Islamic culture like clouds. There are similar mounds of *hadiths* which are sound but whose meanings have been twisted so that they have been far removed from the proofs and evidence of the Qur'an. I used to upbraid some people for transmitting a sound *hadith* without discovering the weakness in its meaning when that meaning can be misleading, as in the case of the *hadith*, "No one will enter the Garden by means of his actions..."

Groups of falsifiers stop at the literal text of this *hadith* and suppose that someone can enter the Garden without any action at all. They neglect to take note of the dozens of *ayats* which make entry into the Garden a result of obligatory action. I used to explain to such people that what the *hadith* does is drive away delusion and arrogance from action: that is, it denies that the Garden is the inevitable result of prior action, but it never denies that action is a definite reason for entry into the Garden, as Allah says, *"This is your Garden which you have inherited for what you did."* (7:43)

Many storytellers and preachers lack intelligent comprehension of the Qur'an and fail to humbly strive to learn its meanings and clear Signs. On top of that they know an abundance of *hadiths* which have a single transmitter and which require proper

arrangement and excellent perception to be understood properly. I was extremely annoyed when one of these people spread the *hadith*, "My father and your father are in the Fire," as if he were giving good news to the Muslims, explaining to them that the parents of their Messenger are in the Fire. I said, "Allah has made you an ugly caller totally lacking in insight. You do not have any of the *fiqh* of Islam nor any *adab*. People like you only increase the Community in confusion in the name of the *Sunna* while the truth is that you have nothing to do with the *Sunna* at all!"

When he explained it, Shaykh Yusuf al-Qardawi said about the *hadith*, "My father and your father are in the Fire," that 'father' is applied here linguistically and in technical terms to the general category of relatives and that what is meant by 'father' in this context is possibly the uncle of the Prophet, Abu Talib. That is because Abu Talib had Islam offered to him before he died but refused to affirm it. We accept this interpretation, and so that there is no conflict between the *Sunna* and the Book.

With my own ears I heard someone say, "The *hadith* is sound and it makes the general text specific. People who possess the natural form of faith will all be saved except for 'Abdullah ibn 'Abdu'l-Muttalib."[1] I said to him, "What did he do so that he alone deserves to go to the Fire? 'Abdullah was a noble chaste young man about whom history reports only good. Nothing is reported about him which sullies him. Why are you so eager to have 'Abdullah punished? Why are you spreading this rumour here and there? What is behind your insistence that the ancestors of the Messenger are in the Fire?

1. The father of the Prophet, peace be upon him.

Chapter Seven
Hadiths about the Trials before the Last Hour

I have read many *hadiths* that deal with the trials and signs which will appear before the Last Hour. When I stopped reading, my mind was roaming lost among unseen matters whose depths I cannot fathom! All Muslims, myself included, believe in the Last Hour and believe that the Last Day is a reality; and only someone who is an unbeliever hesitates to accept that. Much of what I know about things that will happen regarding reckoning, reward or punishment does not concern me. The details of that are beyond the power of the intellect to comprehend. But I am aware that as the end of time draws near, this world will experience many more afflictions and that the harvest of the sins and deviations sown over the course of history will be very evil indeed.

As long as the Lord is forgotten, His Revelation ignored, and man obeys his lower appetites, it is no wonder that our Lord says: *"There is no city We will not destroy before the Day of Rising, or punish with a terrible punishment. That is inscribed in the Book"* (17:58) and *"Those cities: We destroyed them when they did wrong, and We fixed a promised time for their destruction."* (18:59) No one should find it strange that there are many charlatans who delude the masses and overpower them because they know how to confuse people about the truth and to draw them on. *Hadiths* indicate that dozens of charlatans will appear, that there will be one Dajjal who will spread evil and will overpower his fellow charlatans, and tens of thousands of Jews will follow this final Dajjal.

Before I cite some examples of the *hadiths* reported, I should

like to affirm one reality, which is that we Muslims believe in a God whose glory is unlimited, and Whose perfection and praises are endless. *"There is nothing like Him, and He is the All-Hearing the All-Seeing."* He created us, provides for us, clothes us, gives us shelter, teaches us, nurtures us, and pours out countless blessings upon us. We must continue to remember Him and worship Him as long as we remain on the face of the earth. By so doing we prepare to meet Him after death to begin another life with Him filled with praise and glorification of Him. That is the Straight Path by which we will defeat the deceivers and turn the shaytans aside. We oppose every charlatan who tries to misguide us or turn us aside from our immense goal!

After this preamble, I will briefly mention some of what I have read about the Dajjal. We read in a *hadith* that he is bound in chains on an island in the Arabian Sea or the Indian Ocean, where Tamim ad-Dari met him. Tamim was a Christian who became Muslim and then met the Messenger of Allah, may Allah bless him and grant him peace, and told him that he had met the Dajjal in his chains which kept him from going about in the earth, and that he was about to be released to unleash his sedition at the end of time.

The family of the Dajjal is described in another *hadith*. It describes his parents who live for thirty years without having any children and then finally have a son who is blind in one eye. Abu Bakr said, "We heard that someone had been born among the Jews in Madina who had some of these qualities. Az-Zubayr ibn al-'Awwam and I went to his parents and they were as the Messenger of Allah, may Allah bless him and grant him peace, had described. We looked at their son and he was grumbling, swaddled in a cloth." The commentator adds, "Perhaps the Dajjal born among the Jews of Madina moved after this to the island where Tamim ad-Dari saw him."

An-Nawwas ibn Sam'an reports a long *hadith* about the Dajjal in which he mentioned some of the powers he is given and the trial which he will unleash among people. It states, "He will come to a people and summon them and they will believe him

and respond to him. He will command the heaven and it will rain, and the earth and it will have growth. People's herds will return to them with the highest possible humps and fullest udders and the most ample haunches." As for those who reject him, "he will turn from them and they will be struck by drought and lose everything they have." Then 'Isa ibn Maryam will descend and will continue to pursue the Dajjal until he catches him at al-Ludd, kills him and gives people relief from his evils.

These *hadiths* which we are discussing are single *hadiths*, some of which are in the *Sahih* collections. There are many such transmissions. In one of them it says that written between the eyes of the Dajjal is "k-f-r", i.e. 'unbeliever', which every Muslim will read. In a transmission from Umm Sharik from the Prophet, may Allah bless him and grant him peace we find: "People should flee to the mountains from the Dajjal!" Umm Sharik asked, "Messenger of Allah, where will the Arabs be that day?" He replied, "They will be few." It is clear to me that the Dajjal will be one of the leaders of the Jews and one of their scholars, and that he represents the twisted Jewish mentality and separation from Allah, or rather enmity towards Him.

What happens before the Hour represents the conclusion of the evil struggle between the followers of the three religions. The Jews under the leadership of their Messiah will try to conquer; the Christians will cling to their trinitarian and incarnational dogma, crosses and corrupt social life and help the Jews against the Muslims; and the Muslims will fall into different groups, which include the heroic righteous and those who are bewildered and fall flat. When the religious struggle is intense the red horde will advance from the east as one army after another, horde after horde, and nothing will be able to stop it. In the midst of this terrible anarchy, 'Isa ibn Maryam will descend to uphold the creed of *tawhid*, confirm the final prophethood, kill the deity of the Jews, and lead the Muslims in the battle against Yajuj and Majuj until he finishes off the Dajjal by the power of Allah. That is what I understood from the

immense collection of *hadiths* in which the expressions of the transmitters vary greatly and into which some illusions have been inserted. The Qur'an contains only brief indications of these things.

Let us leave aside the immense events which will occur before the Hour and some of the events which take place during the Rising, and move on to the stages of the Reckoning before the Almighty. There is no doubt that the Day of Reckoning is a fearsome day on which rebels and impious people will meet what they did not think would happen: *"the Day when legs are bared and they are called on to prostrate, they will not be able to do it. Their eyes will be downcast, darkened by debasement; for they were called on to prostrate when they were in full possession of their faculties."* (68:42-43) These *ayats* mean that those who rebelled in this world and were insolent towards Allah will be gathered according to what they worshipped before. There will be no escape for them from what they must go through in those events when they are driven to the punishment and retaliation is inflicted on them. In this world, they refused all but evil and so they should taste what they were pleased with for themselves. The words, "the leg is bared" is a sound Arabic metaphor.

Ibn 'Abbas said, "When a man is engaged in something immense and terrible which requires effort and great hardship, the Arabs tell him, 'bare your leg!'" [This is like the English expression "roll up your sleeves".] When he was asked about this *ayat*, he said, "When something in the Qur'an is unclear for you, then look for its clarification in poetry. Poetry is the record of the Arabs. Have you not heard these verses of the poet?

Your people have made the striking of necks our custom
when the battle is fierce. [lit. standing on a leg.]"

Abu 'Ubayda wrote:

When your leg is exposed, [i.e. the fighting is intense],

then Rabi'a will ransom it and that is not bad luck!

It is on this basis that Ibn 'Abbas, the interpreter of the Qur'an, understood *ayats*, and scholars among the Companions and *Tabi'un* followed him in that. This interpretation of the noble Revelation held good until some of those who are enamoured of problematic *hadiths* and rare transmissions came and mentioned other words. The reality of those transmissions must be disclosed because of the danger of their contents and how they deviate from what Muslim scholars know. They said that 'the leg' is the sign by which the believers will recognise their Lord in a difficult trial which they will undergo on the Day of Rising.

According to them, after the idolaters are cast into punishment, the Muslims alone will remain, "so that the only ones who remain are those who worshipped Allah, pious or impious. The Lord of the Worlds will come to them in the lowest form in which they used to conceive of Him. He will ask, 'What are you waiting for? Every nation has followed what it worshipped.' They will say, 'O Lord, people whom we were most in need of in this world have left us and we did not company them.' He will say, 'I am your Lord.' They will say, 'We seek refuge in Allah from you! We do not associate anything with Allah,' twice or three times until some of them are on the point of being turned around. He will ask, 'Is there a sign between you and Him by which you will recognise Him?' They will say, 'Yes.' Then the leg will be uncovered and all who prostrated to Allah of their own volition will be given permission by Allah to prostrate. Any who prostrated to show off will have their backs made rigid by Allah. Whenever they want to prostrate to Him, their will fall on their backs. They will raise their heads and He will have changed to the form in which they saw Him the first time, He will say, 'Am I your Lord?' They will say, 'You are our Lord.'"

This is a deeply confused report. The majority of scholars reject it. Qadi 'Iyad tried to take the view that the form in

which He will come to the believers at the beginning, which they will deny, that of one of the angels. That is information from Allah to them. It is the final test which the believers go through. Qadi 'Iyad's attempt to make sense of this does not achieve anything. The Next World is not the abode of testing. Testing is completed in this world: as we read in al-Bukhari, "Today is action and tomorrow is repayment and no action."

Leaving aside what Qadi 'Iyad said, when we reflect on the events themselves we find that the description is impossible both logically and according to what is transmitted. Allah would not come in a form in which His immensity and might could be denied and then appear in a true form after that, even if we assume that what is meant by form is one of His attributes. The entire *hadith* is faulty and it is an error to connect it to the *ayat*. One of the sicknesses is the anthropomorphism that is spread by these transmissions. The true Muslim should be too ashamed to ascribe these reports to his Messenger.

The *Salaf* of the Community and later scholars all agreed to disassociate Allah from all form. He is worthy of all praise and glory. The *Salaf* and later scholars disliked passages found in the books of the Jews and the Christians which open the way to anthropomorphism or ascribe to the Holy Essence anything not befitting to Allah's majesty and beauty, may His Names be blessed. Most of our wise men blame the Mu'tazilites for this because of the influence that Greek philosophy had on them. Their depiction of the One God in a conceptual way also makes Him an illusion. I do not want to revive that ancient debate or delve into it or to add to it. I naturally dislike it. I rely on the Noble Qur'an to be the basis of my creed and that of the society in which I live.

Perhaps statements words in earlier books require accurate analysis or should be understood in a particular context. Otherwise they are words to be rejected. One example is what is transmitted from some of the scholars of the *Salaf*: they did not deny or affirm corporeality with respect to Allah Almighty. The literal meaning of *ayats* suggesting it is rejected. It is refuted by

the noble *ayat* which says *"There is nothing like Him."* Corporeality is automatically denied. In our time, we are certain that a "body" consists of matter, and matter has special properties which are studied in science. It is impossible for Allah to be described by any of those qualities. Later scholars resorted to interpreting all that might give rise to materialism, while the *Salaf* preferred not to delve into these transmissions, leaving their meaning to Allah and believing in them while still affirming that the Lord of the Worlds is absolutely disassociated from matter and form.

Confused things are said about matters of the Unseen, just as there are confused statements about matters of religious obligation and action. Islam is not harmed if, to one transmitter, certain matters appear ambiguous. The Book is protected and the *Sunna* as a whole is sound. It is not surprising that a transmitter may have some errors in what he transmits, but problems arise when an error is accepted and then great zeal is devoted to its defence. That was not done by the Imams, nor is it the path followed by the *Salaf* and later scholars.

Muslim reports that the Messenger of Allah, may Allah bless him and grant him peace, said, "After forty-two days, Allah sends to the sperm drop an angel who shapes it and creates its hearing and sight, skin, flesh and bone. Then he asks, 'O Lord, male or female?' and our Lord decides what He wills and the angel writes it. Then he asks, 'O Lord, his term?' so your Lord will say what He wishes and the angel will record it. Then the angel will say, 'O Lord, his provision?' and your Lord will say what he wishes and the angel will record it. Then the angel will bring out his page and will not add or subtract a single letter." Al-Bukhari, on the other hand, records from Ibn Mas'ud that the Prophet said: "The way that each of you is created is that you are gathered in your mother's womb for forty days as a sperm-drop, then for a similar length of time as a blood-clot, and then for a similar length of time as a lump of flesh. Then an angel is sent and he breathes the spirit into you and is entrusted with four commands: to write down your provision, your life-

span, your actions, and whether you will be wretched or happy. Then the spirit is breathed into him..."

There is a clear disparity between these two versions. The second one says that the recording mentioned happens after four months; the first, that it takes place after only forty-two days. We leave aside concerns of preponderance, refutation, and acceptance to those concerned with this matter. If any Muslim goes to Allah with clear faith and righteous action, ignorance of one or both of these two *hadiths* will not harm him in the least. The rules of faith and the pillars of righteousness are explained in the Book and *Sunna*, and no one can have total comprehension. What the noble Qur'an affirms in this area is enough for us. After that people's resolve should be directed to *jihad* and to things that will bring them high spiritual ranks.

Those among the adherents of *hadith* who fall short stop at Traditions without any knowledge of their reality or scope, and then they unconsciously stir up controversy which envelops the entire *deen*. Take, for example, things which interrupt the prayer. They hold to the *hadith* which says that the prayer is interrupted by a woman, donkey or black dog passing in front of the person praying. The bulk of *fuqaha'* reject this *hadith* and find evidence in other *hadiths* which state that the prayer is not interrupted by anything and that the Messenger, peace be upon him, used to pray with his wife 'A'isha lying in front of him, just as Ibn 'Abbas went in front of a group who were praying while riding his donkey and their prayer was not invalidated. White and black dogs are the same.

Shaykh Ahmad Shakir mentioned this matter in his appendix to *al-Muhalla* of Ibn Hazm in the context of a narrative which says "I heard 'Umar ibn 'Abdu'l-'Aziz reporting from 'Ayyash ibn Abi Rabi'a who said, 'One day while the Messenger of Allah, may Allah bless him and grant him peace, was praying with his companions, a donkey passed in front of them. 'Ayyash exclaimed, 'Glory be to Allah!' When the Messenger of Allah, may Allah bless him and grant him peace, finished the prayer, he said, 'Which of you said "Glory be to Allah"?' 'Ayyash

answered, 'I did, Messenger of Allah. I heard that donkeys break the prayer.' The Messenger of Allah said, 'Nothing breaks the prayer.'"

'Ayyash had heard that the presence of a donkey breaks the prayer. 'Ayyash was one of the earliest Muslims who made the two Emigrations. Then he was forced to remain in Makka and the Messenger of Allah used to make supplication for him in the *qunut* prayer, as is confirmed in both *Sahih* collections. He knew the first rulings but then was absent when they were abrogated, and so the Messenger of Allah informed him afterwards that the prayer is not broken by anything. Shaykh Shakir said, "This is a precise determination and fine deduction and I have not seen anyone who make that statement before."

I am not one of those who build castles in the air where the branches of *fiqh* are concerned. My concern is the reputation of Islam when some fanatical person travels to America or Europe and then tells people that women, dogs and donkeys are all the same in invalidating the prayer if they pass in front of a person praying. It is best to follow the majority of the *fuqaha'* or seek refuge in silence to prevent dissension and avoid stirring up a hornet's nest around the reputation of Islam.

When we wrote in one of our books that there is no *Sunna* without *fiqh*, we meant to forbid people from purchasing books of *hadith* and then studying a tradition when they have no knowledge of what was before or after it and then stirring up confusion which sometimes even results in bloodshed. Many erroneous judgements have been made on this basis and have then produced a disastrous outcome.

Chapter Eight
Means and Ends

In one of our books we mentioned the noble *hadith* "You know best the affairs of your lives in this world." We say, "The affairs of this world are in the hands of human beings, believers and unbelievers. The Prophets were not sent to teach people professions, crafts or methods of agriculture, nor were they sent as architects, engineers or bridge designers. They were not sent as stomach or eye doctors. The core of their Message is to elucidate what people should believe, their acts of worship, morality, and how to purify the self and society. They convey the teachings which govern people's relationship with their Lord and their relationship with one another and prepare them for the return to Allah as pious and godfearing servants. There are many arenas in this world such as freedom of movement, invention and competition. They are the arenas of the means which must exist to achieve confirmed religious ends. The Lawgiver left it up to the believers as to how to achieve them and did not mention any specific rulings concerning them.

Jihad

The prayer is obligatory, and must be performed with ablution. The Lawgiver prescribed it and the means here must be carried out without adding or decreasing anything. *Jihad* is obligatory but the elements and means of *jihad* do not have a specific mould into which they must be poured. When the means change, as when swords and spears become guns and missiles.

then the ancient rules change with them. 'The tying up of horses' becomes the development of planes and modern fortifications as well as the establishment of centres for chemical, atomic, and astronomical sciences.

In the past a man would use his own money to purchase weapons and undertake to care for them and train with them. When he heard the summons, he went out on foot or on his horse which he had stabled ready for use in the Way of Allah. If he was martyred, he left widows and orphans with no means of support. If he was wounded, he treated himself. The rulings prescribed for booty in such cases is necessary. Indeed, it is prescribed justice. There are many texts explaining it and defining its distribution.

In modern times circumstances have changed radically. Nations put individuals into national armies, and when a young man enlists he is fed and clothed and weapons which have been purchased for him are put in his hands. He is trained for battle in the most complete manner and if he is wounded, he receives medical treatment. If he is killed, he is honoured and his wife and children are provided for. Throughout his entire life, he receives a good salary and rises through the various ranks. This structure has become an unavoidable necessity. It is not possible to abandon defence to voluntary choice or individual circumstances. With the advent of these new circumstances, the structure of booty changes completely, and the state must develop new rules for punishing war criminals and dealing with gooddoers and evildoers.

It is in the light of what we have mentioned here that we understand what al-Bukhari transmitted: "The Messenger of Allah divided booty on the day of Khaybar: two shares for a horse, and one share for the man on foot." The Hanafis reject this *hadith* and prefer another *hadith* to it, in which the Prophet, peace be upon him, "gave the man on horse two shares and the man on foot one share." We think that the entire topic is no longer relevant because the role of horses and infantry has ended and war depends on more technical equipment, such as tanks

and planes. That is why one ruling has come to an end, which is: "Whoever kills someone has his spoils." It is, however, permissible for the state to allow special rewards for those who are exemplary.

We turn to the words of the Almighty, *"Know that when you take any booty one fifth of it belongs to Allah, and to the Messenger, and to close relatives, orphans, the very poor and travellers, if you believe in Allah and what We sent down to Our slave on the Day of Discrimination, the day the two groups met. Allah has power over everything."* (8:41) We hasten to affirm that the Qur'an is something "to which falsehood does not come from in front or behind" and that its text will remain until the end of time and nothing will ever abrogate it. So we wonder about the meaning of this *ayat*. Is eighty per cent of the booty divided amongst the army and the remaining fifth allotted to the recipients mentioned in the *ayat*? That is what some of the Community suppose. We prefer the opinion of Imam Malik, may Allah be pleased with him, who thought that division of the booty into fifths was one of the forms which the state could follow, but that it is not binding when there is more benefit in some other arrangement. The business of booty is subject to wide discretion.

In support of his position Malik cites the fact that the Messenger, peace be upon him, divided booty of Hunayn and gave the new Muslims enormous amounts. It seemed that the hearts of the Ansar were saddened by this until he explained to them the wisdom behind what he had done. This and other evidence which Malik used is reinforced by what 'Umar ibn al-Khattab did with the conquered lands. He refused to divide them into fifths among the conquerors. Instead he allotted them stipends from the taxes imposed on them. Most scholars place this case under the category of *masalih mursala* (public interest). There is no doubt that 'Umar's method was best guided and most beneficial for Islam and its Community.

Wudu' is the means to the prayer and not a matter subject to anyone's opinion, for the Lawgiver stipulated it with an explicit text. But as regards the weapons and means of *jihad*, the

Lawgiver did not specify them or enumerate them in the same way. One should therefore one looks for the most intelligent means to fulfil this duty. There is nothing wrong in importing the latest weapons from the East or West, and nothing wrong if skilled specialists of any race or creed train us in their use. It remains for us to use them in accordance with the noble principles which Islam has prescribed.

Shura

Consultation (*shura*) is an immensely important Islamic principle, but the means of achieving consultation and its precise apparatus are not defined for us. It seems that this lack of precision is intentional in view of our great diversity of environment and levels of culture. We see that one developed nation may alter its means of consultation several times over according to its experience. What happened in France in less than half a century is a model for that change. In the governance of the khalifate *shura* appeared in various forms. The important thing is not which model to cling to. The important thing is that we fulfil the responsibilities and means which make *shura* a reality so that despotism vanishes, political paganism dies, sound opinion is preferred without encumbrances, and man advances without malice.

That is quite impossible when doctrine and morality are lacking. The Muslim world has imported the external form of western democracies at a low stage of its history. It has been brought low by legacies of ignorance and deceived by foolish colonialist customs. So what has happened? Falsification of elections occurs in an extraordinary way and political secularism holds sway, backed by false populist support. If a delegation of critics and scouts were to visit the dust heap of history, they would find in it a number of Arab and Muslim leaders who killed many thousands of people in order to achieve glory and have their names

broadcast internationally and stand with those Pharaohs, the 'beloved' leaders.

We are seeking *shura* and consider the means which lead to it as forming a specific obligation, following the legal principle which states: "That which is required for the performance of the obligatory is in itself obligatory." We can seek that through sound interpretation of the *hadiths* which deal with the commands and prohibitions, changing that which is objectionable, opposing those who commit manifest disbelief, and clarifying the fine distinction between legal opposition and rebellion which undermines the basis of society, or between necessary criticism and armed insurrection.

One of the characteristics of modern democracy is that it considers opposition to form part of the general structure of the state. The opposition has a recognised leader and there is communication with him which entails no problems. That is because the person in power is also a human being who has both supporters and critics, and neither is more entitled to respect than the other. The fact is that this view is very close to the teachings of the Rightly-guided khalifate. 'Ali ibn Abi Talib did not allow those who opposed him to be killed, nor did he muster armies to attack them. He told them, "Hold whatever opinion you like, provided that you do not provoke unrest or shed blood." In other words, this great man viewed opposition as constructive and not destructive. He did not think that opposition to a person was objectionable in itself.

'Ali told the Kharijites, "Be with whomever you wish: and the agreement between us and you is that you do not shed blood, waylay people on the roads or wrong anyone. If you do that, then I will fight you." 'Abdullah ibn Shaddad stated, "By Allah, he did not kill them until they acted as highwaymen and shed blood." As-San'ani said, "That shows that simple disagreement with the ruler does not mean that those who differ with him should be fought. This is the correct way in which to view the noble *hadith*: 'Whoever abandons obedience and separates himself from the community and then dies, dies the death of

ignorance,' that is, like the people of the *Jahiliyya* without a ruler." All that applies when opposition does not become armed rebellion. When it becomes that, another ruling comes into play. 'Abdullah ibn 'Umar reported that the Messenger of Allah, may Allah bless him and grant him peace, said, "Whoever carries weapons against us is not one of us."

Modern democracy has major shortcomings inasmuch as it respects the freedom to disobey, be impious, believe or disbelieve. These defects disappear when the core of the constitution states that Islam is the *deen* of the state and that the *Shari'a* is the sole source of law and whatever is contrary to that is automatically set aside. If it had not been for the excessiveness of the dogmatists and their opposition to those who hold contrary opinions, even on marginal matters, the scope of freedom would not have expanded to the extent of accepting the lowest common denominator or affirming vices and appetites.

There is a question about the answer to which we cannot equivocate: Is fighting Islam itself under the pretext of combating extremism a valid form of democracy? There are rulers in the Arab and Islamic world who hate what Allah has revealed, are infuriated when they see a girl whose head and arms are covered, and angrily reject every cry to nullify the decrees which global colonialism imposed on us when it took us under its aegis. Is this democracy? Or is it an extension of the old subjugation and a new Christian crusade against the Islamic world?

There are those who want to kill people in the name of the "people" and bury liberty alive in the name of "liberty". In the dust heap of history, as we said before, can be found leaders of this miserable sort who have inflicted unspeakable things on the Muslims. There are men who walk with their entourages desiring this world and thinking nothing of the Next World, and who truly merit Allah's curse. Glorious ends necessarily entail noble means which must be in place. Without these means, it becomes difficult to establish a sound form of *shura*, as it is difficult to establish a successful and pure *jihad*. Intelligent people can ascertain the fixed ends and changing means, and those who

possess understanding of the Book and *Sunna* are the people most capable of achieving that. They must have a grasp of the affairs of this world, as we mentioned, and renew the necessary means.

It is true that it is people themselves who have the best knowledge of their worldly affairs and of what will enable them to achieve the major goals which they desire. Expertise in this world can have important effects, as can extensive administrative experience. When the atheists are shrewd, intelligent and informed experts while the believers are naive and gullible, then the future of faith on the face of the earth is certainly in danger of being lost. Some people who are godfearing devote a great deal of time to memorising texts and reading Traditions, but then one finds them to be heedless and clueless regarding the normal affairs of life. Why is the *deen* in the hands of such people?

Superstitions have triumphed and delusion has gained the upper hand because those who hold to them make the most of their faculties and abilities, whereas the Message of Allah is stagnant and thought badly of because its followers are split down the middle into those who possess intelligence and those who act. We will not deal here with this problem at length, but it is a theme to which we often return.

It is vital, however, to examine immediately the failure of the people of religion to present their religious views and make them attractive to people. The call to religion is almost totally ineffective in the media. It is not a matter of importing material from outside; it is about reviving the latent power in the souls of the believers which have become suppressed through lengthy embellishment of the outward while forgetting the inward.

I meet people who are claimed to be celebrities and yet are in dire need of primary training of the self, sincerity of heart and seeking the pleasure of Allah; and I myself do not claim to be innocent of that. Rather I ask my Lord's forgiveness. If we are sincere, we will come up with previously unknown ways of serving the Truth; we will surge forward in directions which the

people of old did not know; and we will win battles where we suffered frequent defeats before.

Conclusion

The Path to which Allah has guided me by His grace is to acquaint people with the truth as much as I am able. I also recognise the truth when it comes to me from other people; and I reflect on what is said and do not look with dread at the one who says it. Reaching the truth requires both intelligence and sincerity. Allah then grants two rewards to all who are correct and one reward to all who err while striving to reach it. Some people suppose that any error made by a *mujtahid* causes him to lose his position and destroys his authority. This is terrible ignorance. The great Imams made many errors in *ijtihad*, yet their scholarly foundation is beyond dispute and the good that flowed from them is extensive. So mistakes in respect of minor points do not destroy them or bring them down. Our general populace is inclined to say that the great are free from error but we only know one who is free from error in our history: Muhammad ibn 'Abdullah, the bearer of the Final Message.

I have criticised some transmissions in the *Sahih* collections which I think may harm the core of our *deen* and open fearful breaches through which our enemies can get at us. I did not intend by that to demean their value nor did I intend that to elevate myself. *"On the Day when neither wealth nor sons will be of any use – except to those who bring to Allah sound, flawless hearts."* (26:89) I am faithful to Allah and His Messenger and to the best interests of the *deen*. That is why I object to certain transmissions and opinions of Nafi', the client of 'Abdullah ibn 'Umar, in respect of two sensitive matters, one of which relates to the family and the other to the call to Islam or the state. I think that this

great *Tabi'i* dealt with them in an alarming and incorrect way and so it is not permitted for me to remain silent.

We have all read the words of the Almighty, *"Your women are fertile fields for you, so come to your fertile fields however you like,"* (2:223) A fertile field is a place where seed is sown and nothing else, and no one who knows the language of Revelation says otherwise. There is, however, an aberrant understanding found in some of the *Sahih* collections by those who did not have a precise grasp of the texts and who thought that a man may exceed that with his wife! I took an unbiased look at this bad transmission and saw that it debases free women and pleases aberrant men, overturns the balance of the natural form and opens a new door to AIDS. I did not hesitate to refute it, saying, "Any noble person can make a mistake." The opinion and transmission of Nafi', may Allah forgive him and us, differed from the evidence of the Qur'an and other *sunan* which are confirmed by transmitters as it differs from the nature of people and animals.

As soon as some people read what I had written they rushed to attack me. That will not harm me. I noticed that the issue had been enveloped in a reactionary fog; it had not been investigated nor had the decree of Allah been mentioned in it, so that it seemed to me that ignorance of the decree was what was being sought. Accusations rained down on me: "Do you attack Nafi'! Do you doubt the golden chain?[1] Do you deny the *Sunna* of the Prophet!" and so forth, and objection turned into howls whose echoes are heard far and wide. I recalled the verse of the poet:

A noble person is attacked by many wolves.
He does not know until they come from every side!

My reply is that impartiality, which is indispensable in schol-

1. The 'golden chain' is that which is considered to be the most authentic chain of transmission. Different scholars made different statements as to which *isnad* met the criteria for this. According to al-Bukhari, however, it is: Malik - Nafi' - Ibn 'Umar. It was later extended to include ash-Shafi'i and Ahmad ibn Hanbal.

arly research, almost disappears under this outcry. Men and women must know that what Nafi' related is false, and that it is not permitted to corrupt the *deen* through the words of blind zealots who are slaves to famous names. The sexual drive is not something shameful deriving from the work of Shaytan, provided it is satisfied within its defined parameters – that is, in marriage. It may not be satisfied except between a man and a woman: anything other than this is a forbidden perversion.

Pagan and atheist societies extend the area of lust and do not stop at any limit, as can be seen in many ignorant societies, both ancient and modern. Deviant sexual practices developed which do not serve to perpetuate the species. If this continues, the results are inevitably foul and evil, as Allah says, *"Good land gives forth its plants by the permission of its Lord, but that which is bad only gives forth meagrely."* (7:58) The Arab idolaters were tempted in their sexual drive and they resembled the Europeans and Americans today. They went beyond the area of what is permitted and lawful to another, which teems with fevers and infections. When the Noble Qur'an mentions the people of Lut, it mentions specific vices: extravagance, aggression, ignorance, wrongdoing, corruption and things related to these forms of wrongdoing.

I have noticed that much of what is the content of that portion of the Qur'an which was revealed in Makka is intended to curb man's evil instincts and to remind people of the fates of those who were destroyed before them. *"Of all beings, do you lie with males, leaving the wives Allah has created for you? You are a people who have overstepped the limits..."* (26:165-166) Then in Madina the laws of the family were formulated for the establishment of a pure, virtuous society. The Noble Qur'an explained that woman is a shelter for her husband and a fountain which overflows with love and mercy, and that the connection between them reaches the limit of intercourse: *"They are a garment for you and you are a garment for them."* (2:187) What is desired is not to produce just any sort of progeny to perpetuate the species. What is desired is to produce progeny who are righteous and will

increase life root and branch. Then there will be no place for aberration, transgression or corruption.

It is never permitted for a man to victimise his wife and to commit with her what is not appropriate. 'Abdullah ibn 'Amr reported that the Prophet, may Allah bless him and grant him peace, said, "It is the lesser sodomy," meaning by that a man having anal intercourse with his wife. 'Umar ibn al-Khattab said that the Messenger of Allah said, "Be ashamed. Allah is not ashamed of the truth. Do not have relations with women in their anus." Jabir ibn 'Abdullah reported that the Messenger of Allah said, "Be ashamed before Allah. Allah is not ashamed of the truth. It is not lawful to come to women in what is barren," meaning other than what is considered "tillage".

I want to inform Muslims that the highest wisdom of marriage is that each of the couple help to bring about the happiness of the other, and that can only be achieved by the prescribed approach. I ask any wife whose husband is deviant to chide him and to reprimand him. Ibn Taymiyya even considers that a reason for the Qadi granting a divorce. Because of all this, we reject what Nafi' related, may Allah forgive us and him, even if some people who are fanatical for him do not understand that. Islam has been tested by enemies who nibble at its edges from the outside just as it has been tested by enemies who distort its realities on the inside. It may well be that the internal enemy is more destructive than the external enemy.

I have seen many transmissions that do not deserve to survive. In spite of that, they are defended to such an extent that they vie for precedence in the corpus of *hadiths*. The reason for this confusion lies in the heedlessness of Muslim believers and their occasional tolerance of suppositions. The lie about the cranes was not forged by orientalists.[1] It was forged among us and the people who committed it lacked comprehension and fear of Allah. The lie that the Messenger desired his cousin Zaynab after

1. The assertion that false verses describing the Makkan polytheists' deities as 'cranes' were once recited by the Prophet in *Surat an-Najm* (53).

she married Zayd ibn Haritha was a lie which is extremely foolish and weak, and yet there are those who transmit it.

From the earliest times the fastidious scholars of Islam have defended the truth to enable those who adhere to ignorant superstitions or follow deviant sects to learn from them. I do not hesitate to reject the notion which some people have that the Messenger, peace be upon him, attacked people without warning, so that the slain would not know why they were killed or the wounded why they were wounded. By its nature, Islam is a religion of invitation. It tells you, "Learn and teach. Curb yourself and curb others. Transmit the truth and lift high its banner so that others may travel in its paths." *"Let there be a community among you who call to the good..."* (3:104) Conveying must be clear so that the clarity in your heart is transferred to the heart of your listener and so you are equal in clarity and comprehension.

This is what is dealt with in the *ayats*: *"Say: 'It is revealed to me that your god is One God. So are you Muslims?' If they turn their backs, then say: 'I have informed all of you equally and I do not know if what you have been promised is near or far.'"* (21:108-109) *Tawhid* was and still is advancing with difficulty. The mouths which should proclaim it are muzzled and people are killed for believing in it.

Muslims are commanded to invite people to Islam before fighting them; fighting is the final resort. The Muslims used to call people to Islam and the dissidents opposed them. Before fighting them, they invited them to respond and prefer the truth and peace, but they still continued to worship idols. "Aggression is directed only against the wrongdoers," as the Trusty Messenger said. So is it true that the call to faith existed at the beginning of Islam and then was abrogated, as Nafi', the client of 'Abdullah ibn 'Umar, understood? This notion is contrary to the Book and *Sunna,* and to historical facts.

Let us look at the *hadith* which Muslim and others related from Burayda. He said, "Whenever the Messenger of Allah, may Allah bless him and grant him peace, put anyone in command over an army or an expedition, he commanded him to have fear

of Allah and to be good to the Muslims with him. Then he said, 'Raid in the Name of Allah in the Way of Allah. Fight those who disbelieve in Allah. Raid, but do not steal from the booty or be treacherous. Do not mutilate people or kill children. When you meet your enemy among the idolaters, call them to three things. If they agree, then accept it from them and refrain from fighting them. Call them to Islam. If they respond, then turn from them and leave them. Then call them to move from their abode to the Abode of the *Muhajirun* and inform them that if they do so, they will have the same rights and obligations as the *Muhajirun*. If they refuse to move from there, inform them that they are like the desert Arabs who are Muslims, and the same decree of Allah will apply to them as to other Muslims.' Then he said, 'If they refuse, then offer them the chance to pay *jizya*. If they agree, then accept it from them and refrain from fighting them. If they refuse, then seek help in Allah against them and fight them.'"

What we first notice is that this *hadith* comes from the last part of the life of the Prophet, because he mentioned *jizya* and *jizya* was only known in the *Shari'a* after *Surat at-Tawba* was revealed, which was at the end of 9 AH – about a year before the Prophet died. This historical fact means that inviting the enemy to Islam was established both at the beginning of the life of the Messenger and at the end, and that the claim that it was abrogated has no basis. Therefore Nafi' erred in his understanding. Indeed, in his *Sira* Ibn Hisham was closer to the truth when he mentioned that the invitation to Islam had indeed reached the Banu'l-Mustaliq, but when it reached them they reaffirmed their rejection and went away in order to prepare for battle. They were then suddenly attacked, which foiled their preparations and scattered their troops.

For nineteen years from the beginning of the call to Islam, the Muslims were considered to be outside the law. The idolaters mocked the doctrine of *tawhid* and attacked all its missionaries whenever and wherever they could. Although the treaty of al-Hudaybiyya acknowledged their material and moral existence,

Quraysh were quick to violate this Treaty and the Arabian peninsula reverted to its former life of fanatical devotion to idolatry. The offer which was placed under the scrutiny of the idolaters was: "You have your *deen* and I have my *deen*." It was ignored and forgotten, and the Muslims desperately needed to defend themselves and establish a state to protect their faith and laws since paganism refused to respect religious freedom.

Muhammad, peace be upon him, was too noble to attack people without warning. Those who read *hadiths* must understand and study their context, history and circumstances. I have said this, and will say it again: There is no *Sunna* without *fiqh*. If we study the Qur'an, we will learn how the invitation to Islam was presented. Through studying history we see that the pagans resisted the truth to their last breath and that paganism, right down to its last leader, Musaylima, belittled the proof and deviated from the path and thus fighting became necessary. We were not the ones who disordered the world or caused people's blood to be shed.

Those with a proper grasp of *sira*, history and ethics know that the invitation to Islam is a duty which no one can abrogate, and that this invitation is universal and not confined by time or place. This should be constantly re-emphasised, particularly before starting a war. In other books we have explained the reasons for fighting and demonstrated that fighting has to be in defence of the truth so as to protect Islam from deceivers and impeders. So I must present what I know to people with good manners and kindness.

Then someone may tell me, "Leave me, I do not want to listen to you. I am neither your enemy nor your friend. Go to someone else. I do not care what you do with him or what he does with you." In such a case, I leave him without any thought of harming him, carrying out the instruction of Allah: *"If they keep away from you and do not fight you and submit to you, Allah has not given you any way against such people."* (4:90) Were the Byzantines who occupied Egypt and Syria and marched their armies to the Hijaz like that? No. They invaded our lands and

remained there as transgressors. Aggression and sedition issued from their words, actions and states; the land had to be liberated from them and they had to be forced to go back to where they came from.

After that people had the freedom to embrace Islam or not, while they shared in the obligations of military defence of the land which had been occupied and then liberated by Islam. Did the Persians have a better state than the Byzantines? No, Chosroes issued a command to eliminate Muhammad after tearing up his letter. At the time the Persians were occupying Iraq and this rejection of the invitation to Islam and those who delivered it was final, and so it was not permitted to leave him alone. That was the reason for the first conquests.

The khalifs, commanders and army generals were keen not to initiate war except after issuing a deliberate clear invitation to Islam. Look at the events in the lives of the Companions of which many of the *Salafi* activists are, unfortunately, ignorant when they allege that the Messenger attacked people by surprise or that the call to Islam was abrogated, as Nafi', the client of Ibn 'Umar, wrongly supposed. *The Life of the Companions* has a chapter entitled, "The Companions calling to Allah and His Messenger before fighting in the time of Abu Bakr and Abu Bakr ordering his generals to do so." Al-Bayhaqi (vol. 9, p. 85) and Ibn 'Asakir transmitted from Sa'id ibn al-Musayyab that when Abu Bakr sent the armies to Syria he put Yazid ibn Abi Sufyan, and 'Amr ibn al-'As, and Shurahbil ibn Hasana in command of them. When they set out on their mounts, Abu Bakr walked beside the commanders of his armies to bid them farewell until he reached Thaniya al-Wida'. They said, "Khalif of the Messenger of Allah, are you walking while we ride?" He said, "I hope to receive a reward for these steps on mine in the Way of Allah."

Then he began to give them orders and said, "I advise you to have fear of Allah. Go forth in the Way of Allah and fight those who disbelieve in Allah. Allah will help His *deen*. Do not steal from the booty or be treacherous or alienate people. Do not

corrupt the earth and do not disobey your orders. When you meet your enemies who are idolaters, Allah willing, invite them to three courses of action. If they agree, then accept that from them and refrain fromattacking them. Call them to Islam. If they respond to you, then accept that from them and refrain from fighting them. Then call them to move from their abode to that of the *Muhajirun*. If they do so, inform them that they will receive the rights that the *Muhajirun* have and owe the duties which the *Muhajirun* owe. In the case of those who enter into Islam and prefer their abode to that of the *Muhajirun*, tell them that they are like the desert Arabs of the Muslims and the ruling of Allah will apply to them as it does to the believers. They will receive nothing in booty and spoils unless they perform *jihad* with the Muslims. If they refuse to enter Islam, then call on them to pay *jizya*. If they do so, then accept it from them and refrain from fighting them. If they refuse, then seek Allah's help against them and fight them, if Allah wishes. Do not uproot palm trees or burn them. Do not hamstring animals or cut down trees with fruit on them. Do not destroy places of worship or kill children, old men or women. You will find some people who shut themselves in hermitages; leave them to what they have devoted themselves to."

From the time of 'Umar ibn al-Khattab when Persia was conquered comes this story entitled, "Salman al-Farisi calling the enemy to Islam for three days in the Battle of Ctesiphon." In *al-Hilyat al-Awliya'* (vol. 1, p. 189) Abu Nu'aym transmitted from Abu'l-Bakhtari that one of the armies of the Muslims under the command of Salman al-Farisi laid siege to one of the castles of Persia. They asked him, "Abu 'Abdullah, shall we go against them?" He said, "Let me invite them to Islam as I heard the Messenger of Allah, may Allah bless him and grant him peace, invite people." He told them, "I am a Persian man, one of you. Do you not see that the Arabs obey me? If you become Muslim, you will have the same rights as us and owe the like of what we owe. If you refuse anything except your *deen*, we will leave you following it and you will pay us the *jizya* from your

hands and will be abased." He muttered at them in Persian, "and you will not be praiseworthy." Then he added, "If you refuse, we will fight all of you." They said, "We do not believe. We will not pay *jizya*. We will fight you!" The Muslims said, "Abu 'Abdullah, shall we attack them?" Salman said, "No," and for three days he invited them to Islam in the same terms. Finally he said, "Attack them." They attacked them and conquered that fortress.

Ahmad also transmitted something similar in his *Musnad,* as did al-Hakim in *al-Mustadrak*. We read in *Nasb ar-Raya* (vol. 3, p. 378): "On the fourth day he commanded the people to move against it and they conquered it." Ibn Abi Shayba transmitted that in *al-Kanz* (vol. 2, p. 298) as did at-Tabari (vol. 3, p. 173) from Abu'l-Bakhtari who said, "The general of the Muslims was Salman al-Farisi. The Muslims appointed him to be the one to call the people of Persia to Islam." 'Atiyya said, "They appointed him to call on the people of Bahurasibr and in the battle of Ctesiphon, he called them for three consecutive days."

There are many more transmissions which describe inviting people to Islam before initiating fighting in the time of the Messenger of Allah, may Allah bless him and grant him peace, and in the time of the Companions, may Allah be pleased with them. Nafi', may Allah forgive us and him, ignored this fact, and it is an error of a noble man. All blame falls on those who fanatically support his error and argue against what is correct after it has been made clear.

The only reliable source of this precious legacy is what Muhammad, peace and blessing be upon him, left us in the Book revealed to him and his *Sunna*. As for the Qur'an, men and jinn lack the power to produce anything like it. From the time it was revealed until today – and until the earth is transformed to other than the earth and heavens – it will be preserved by Allah Himself. No doubt can touch it and no deviation can be imagined in it. Those who seek the truth must know its clear *ayats*. The *Sunna* can be described as a revelation from the Revelation or a torch lit from the light of the Wise

Remembrance. Muhammad was given perfection of verbal expression, and his guidance gushes from a spring which overflows with right guidance, full of goodness. Glory be to the One who created Muhammad! He is the unique man who protected faith in substance and meaning, embodied it in his life and established on its foundations a society and state, and in whose name there began a civilisation in which the East and West delight, and whose strength has terrified the transgressors and anarchists.

Islamic civilisation is founded on both the Book and *Sunna*. The shaytans have despaired of twisting the Book and so they tried to attack the *Sunna*. Critical scholars, however, averted this attack and the caravan of Islam continued, protected. By the grace of Allah, we continue to protect Islam and the earth will not lack someone who establishes its proof for the sake of Allah. I do not know of any scholars of Islam who diminish the status of the *Sunna* of the Prophet or will agree to do the opposite of what the Messenger of Allah says. That would be the path of disbelief.

There has been a lot of argumentation about secondary cases between scholars whose basic question is, "Did the Messenger of Allah utter this *hadith* or not?" You may remark, "Deep knowledge of the technical terms becomes the basis for acceptance or rejection of various transmissions." We reply: "That is right – and that is all we mean by its application!" We cling to what our first Imams laid down for us and do not even think about separating ourselves from it. We are simply drawing attention to the fact that aberration and faults in the texts of the *hadiths* concern the *fuqaha'* as well as those who memorise those *hadiths*. The *fuqaha'* had a role to play with respect to them in the past and the gravity of the current situation demands further investigation and study.

I know that this statement provokes fear in some people, but my experiences in the field of *da'wa* leads me to deal with the matter in greater detail. In this time when Islam has suffered a series of defeats and its enemies attribute every manner of defect to it, I heard an orator relate this *hadith*: "Do not ask a man why

he beats his wife." I told him, "Our *deen* is accused of being opposed to the rights of the human being and particularly respect for women. Why do you present a *hadith* which might be interpreted to mean that a man can beat his wife however he likes and not be asked about what he does? You know that this idea is rejected in both the Book and *Sunna*."

He replied doggedly, "I related a sound *hadith*." I asked him, "Do you not know this other *hadith* which Muslim reports in his *Sahih* collection? 'There will be restitution of rights on the Day of Rising until even the hornless sheep takes its right from the horned sheep.' Is a beaten wife less in the sight of Allah than a sheep unjustly gored?" He said, "From the time of Eve until today women are in need of admonition and discipline. It is said in a *hadith*, 'If it had not been for Eve, no woman would ever have betrayed her husband.'"

I said to him, "Eve did not betray Adam or tempt him to eat from the tree. This is one of the lies in the Torah! The Qur'an clearly states that Adam is the one who disobeyed his Lord but you fail to quote the Noble Qur'an and instead transmit transmissions which inhibit the spread of Islam. Why should a man not be asked, 'Why did you beat your wife?' Do you raise your daughters to go to a husband who will slap her or injure her without being questioned in this world or the Next? One of the rights of a woman in this world is to complain to her family about what happens to her, to the judge who represents her, or the *Qadi* who must question her husband. After that she may request a *khul'* dissolution of marriage or demand an enforced divorce because of harm. Yet you, in the name of Islam, tempt people away from Islam by these *hadiths*.

I will mention yet another instance in which a preacher was enamoured of recounting stories and strange things to people. He said, "The Dajjal is on an island in the sea of Syria or Yemen bound in chains. Tamim ad-Dari saw him after the ship he and his companions were on foundered. They spoke with him and he is about to come forth. Fatima bint Qays has related that in a long story." A student who heard this asked me, "Is it possible to

travel to this island to see the Dajjal?" I said, "What would you accomplish by seeing him? There are many Dajjals. When you are fortified with the Truth, you will be safe from them in general and from the greatest of them when he emerges." He asked, "Has no one visited this island after Tamim ad-Dari?" I preferred to remain silent and adroitly divert the student to another topic.

Then I recalled the words of 'Umar ibn al-Khattab when he rejected the *hadith* of Fatima bint Qays about the maintenance of a finally divorced woman. He said, "We do not leave the Book of our Lord and the *Sunna* of our Prophet for the *hadith* of a woman when we do not know whether she remembered or forgot." I say, "We will not exposethe Book of Allah and the *Sunna* of our Prophet to denial for the sake of the words of the same woman in another *hadith*. The advance of the Book and the *Sunna* must go forward without hindrance."

Then there is another subject. It has been established with certainty that foetuses are formed from one living spermatozon which pierces an egg of a woman. This single organism precedes millions of others like it, swimming in the liquid medium of the sperm. When it arrives, the first journey of a human life begins. It is from this that male and female develop. The secretion of the woman plays no part in this. Scientists say that the liquid that moistens the womb during intercourse plays no role in the formation of the foetus. Photographs have been taken of those spermatozoa which produce males and those which produce females since it became possible to collect spermatozoa and eggs in test-tubes.

It is well known that the Noble Qur'an affirms this reality in the words of the Almighty, *"That He created the two sexes – male and female – out of a sperm-drop when it spurted forth."* (53:46) This is firmly established by both science and the Revelation. It is not permitted to give preference to an idea related in a single *hadith* by a single transmitter claiming that the conception of a female is a result of the dominance of the female over the male fluid.

Hadiths with a single transmitter certainly give way to a Qur'anic text, scientific truth, historical fact or, as the Malikis say, to the normative practice of the people of Madina, and to a definite analogy in the Hanafi view. That is what I have been guided to. If it is true, it is from Allah. If it is an error, then it is from me. I ask Allah for forgiveness, first and last.

Glossary

'amal: action, normative practice, precedent, juridical practice.

ayat: a verse of the Qur'an.

basmala: the expression "In the name of Allah, the All-Merciful, the All-Compassionate".

Dajjal: the false Messiah whose appearance marks the imminent ends of the world.

da'wa: inviting or calling people to worship Allah by following the Messenger of Allah.

deen: the life-transaction, lit. the debt between two parties, in this usage between the Creator and created.

dhimma: obligation or contract, in particular a treaty of protection for non-Muslims living in Muslim territory.

dhimmi: a non-Muslim living under the protection of Muslim rule on payment of the *jizya*.

Fajr: the dawn prayer.

faqih: a man learned in the knowledge of *fiqh* who by virtue of his knowledge can give a legal judgement.

fard: obligatory, an obligatory act of worship or practice of the *Deen* as defined by the *Shari'a*.

Fatiha: "the Opener," the first *sura* of the Qur'an.

fatwa: an authoritative statement on a point of law.

fiqh: the science of the application of the *Shari'a*. A practitioner or expert in *fiqh* is called a *faqih*.

fitra: the first nature, the natural, primal condition of mankind in harmony with nature.

fuqaha': the plural of *faqih*.

gharib: a *hadith* which has a single reporter at some stage of the *isnad*.

ghusl: major ablution of the whole body with water, required to regain purity after menstruation, lochia and sexual intercourse.

hadd: Allah's boundary limits for the lawful and unlawful. The *hadd* punishments are specific fixed penalties laid down by Allah for specified crimes.

hadith: reported speech of the Prophet.

hadith qudsi: those words of Allah on the tongue of His Prophet which are not part of the Revelation of the Qur'an.

hajj: the pilgrimage to Makka and its envrions in the month of pilgrimage, which is one of the five pillars of Islam.

hajji: someone performing or who has performed the *hajj*.

haram: unlawful in the *Shari'a*.

Hijaz: the region along the western seaboard of Arabia in which Makka, Madina, Jidda and Ta'if are situated.

Hijra: emigration in the way of Allah. The first yearof the Islamic era begins with the *Hijra* of the Prophet Muhammad from Makka to Madina in 622 AD.

hudud: plural of *hadd*.

Hunayn: a valley between Makka and Ta'if where a battle took place between the Muslims and Quraysh pagans in 8/630.

'Id: a festival, either the festival at the end of Ramadan or at the time of the *Hajj*.

ihram: the conditions of clothing and behaviour adopted by someone on *hajj* or *'umra*.

ijtihad: to exercise personal judgement in legal matters.

imam: Muslim religious or political leader; leader of Muslim congregational worship.

'Isha': the obligatory evening prayer.

isnad: a tradition's chain of transmission from individual to individual.

istiftah: the opening supplication recited at the beginning of the prayer.

i'tikaf: seclusion, while fasting, in a mosque, particularly in the last ten days of Ramadan.

Jahiliyya: the Time of Ignorance before the coming of Islam.

jihad: struggle, particularly fighting in the way of Allah to establish Islam.

jinn: inhabitants of the heavens and the earth made of smokeless fire who are usually invisible.

jizya: a protection tax payable by non-Muslims as a tribute to a Muslim ruler.

Jumu'a: the day of gathering, Friday, and particularly the *Jumu'a* prayer performed instead of *Dhuhr* by those who attend it.

Ka'ba: the cube-shaped building at the centre of the Haram in Makka, also known as the House of Allah.

kalam: 'theology' and dogmatics. *Kalam* begins from the revealed tradition and employs rationalistic methods in order to understand it and resolve contradictions.

khul': a form of divorce initiated by the wife.

khutba: a speech, and in particular a standing speech given by the Imam before the *Jumu'a* prayer and after the two *'Id* prayers.

madhhab: a school of law founded on the opinion of a *faqih*.

marfu': 'elevated', a narration from the Prophet mentioned by a Companion, e.g. "The Messenger of Allah said..."

masalih mursala: considerations of public interest, human welfare, utility, welfare not explicitly supported by the text.

Masjid al-Haram: the great mosque in Makka.

mihrab: the prayer-niche, a recess in a mosque wall indicating the direction of *qibla*.

mufti: someone qualified to give a legal opinion or *fatwa*.

mujtahid: a scholar who is qualified to carry out *ijtihad*.

munkar: "denounced", a narration reported by a weak reporter which goes against another authentic *hadith*.

mursal: a *hadith* in which a man in the generation after the Companions quotes directly from the Prophet without mentioning the Companion from whom he got it.

mutakallim: one who studies the science of *kalam*, the investigation of theological doctrine.

mutawatir: a *hadith* which is reported by a large number of reporters at all stages of the *isnad*.

Mu'tazilites: someone who adheres to the school of the Mu'tazila which is rationalist in its approach to existence. Originally they held that anyone who commits a sin is neither a believer nor an unbeliever. They also held the Qur'an to be created.

qadi: judge.

qibla: the direction faced in the prayer which is towards the Ka'ba in Makka.

qunut: a supplication said in the prayer.

Rashidun: 'The Rightly-guided,' the first four khalifs of Islam: Abu Bakr, 'Umar, 'Uthman and 'Ali.

riba: usury, which is *haram*, whatever forms it takes, since it it involves obtaining something for nothing through exploitation.

riba al-fadl: this involves any discrepancy in quantity in an exchange: for example, an exchange of goods of superior quality for more of the same kind of goods of inferior quality, e.g., dates of superior quality for dates of inferior quality in greater amount. This is forbidden.

riba an-nasi'a: this involves a gap in time in an exchange of two quantities, even if they match in quantity and quality, for example, interest on lent money.

ruku': bowing, particularly the bowing position in the prayer.

sadaqa: charitable giving for the Cause of Allah.

Salaf: the early generations of the Muslims.

salam: saying "*As-Salamu 'alaykum*" (Peace be upon you) which ends the ritual prayer.

Sha'ban: the month before Ramadan.

shadhdh: an "irregular" *hadith* which is reported by a trustworthy person but which goes against the narration of someone who is more reliable than him.

Shari'a: The legal modality of a people based on the revelation of their Prophet. The final *Shari'a* is that of Islam.

shaytan: a devil, particularly Iblis.

shura: consultation.

Sijjin: the register where the actions of the evil are recorded, or the place where the register is kept.

sira: a biography, particularly the biography of the Prophet.

sunan: the plural of *sunna*.

Sunna: the customary practice of a person or group of people. It has come to refer almost exclusively to the practice of the Messenger of Allah. Also a non-obligatory ac of worship performed in imitation of the Prophet.

sura: a chapter of the Qur'an.

Tabi'i: a Follower, one of the second generation of the early Muslims who did not meet the Prophet Muhammad, may Allah bless him and grant him peace, but learned the *deen* of Islam from his Companions.

tafsir: commentary or explanation of the meanings of the Qur'an.

taqwa: awe or fear of Allah, which inspires a person to be on guard against wrong action and eager for actions which please Him.

tarawih: prayers at night in Ramadan.

tawhid: the doctrine of Divine Unity.

ta'zir: deterrence, discretionary penalty determined by the *qadi*.

Uhud: a mountain just outside of Madina where five years after the *Hijra*, the Muslims lost a battle against the Makkan idolaters. Many great Companions, and in particular Hamza, the uncle of the Prophet, were killed in this battle.

Umm al-Mu'minin: lit. Mother of the Believers, an honorary title given to the wives of the Prophet.

umm walad: a slavegirl who has borne her master's child. She cannot be sold and becomes free upon her master's death.

usul: plural of *asl*, the basic principles of any source, used in *fiqh*.

wajib: a necessary part of the *Shari'a*.

wudu': ritual washing to be pure for the prayer.

Yajuj and Majuj: the people of Gog and Magog who will burst free at the end of time to unleash destruction.

zakat: a wealth tax, one of the five pillars of Islam.

zindiq: a term used to describe a heretic whose teaching is a danger to the state. Originally under the Sasanid emperors of Iran it meant a free-thinker, atheist or dualist.

Persons Mentioned in the Text

'Abdullah ibn 'Amr ibn al-'As: (d. 65/684) a Companion. It is said that he transmitted more from the Prophet than Abu Hurayra did. However, he lived in Egypt and few people came to see him there.

'Abdullah ibn 'Umar: *see Ibn 'Umar.*

'Abdu'l-Malik ibn 'Umayr: (d. 136/753) a *qadi* in Kufa.

Abu Bakr as-Siddiq: (d. 13/634), a Makkan merchant who was three years younger than the Prophet and was the Prophet's closest Companion. He became the first Khalif after the death of the Prophet.

Abu Bakr al-Jassas al-Hanafi: (d. 370/980-1) Hanafi author of *Ahkam al-Qur'an.*

Abu Bakr ibn Khuzayma: *see Ibn Khuzayma.*

Abu Bakr ibn Abi Shayba: (d. 235/849) the author of a *Musnad*, *al-Musannaf* and other books. Ibn Abi Shayba was a major authority in *Hadith*. Abu Zur'a, al-Bukhari, Muslim, and Abu Dawud all related from him.

Abu'l-Bakhtari al-Qadi: (d. 200/815) His name was Wahb ibn Wahb. He acted as *qadi* for al-Mahdi. Then he dismissed him and put him in charge of prayer, war and judgement in Madina.

Abu Burda: (d. 45/666) a Companion who was present at Badr.

Abu Dawud as-Sijistani: (203/817-275-888) the author of the *Sunan*, one of the Six. He was one of the greatest of the scholars of *hadith*.

Abu Hanifa: (d. 150/167) founder of the Hanafi school, one of the four Imams, the *faqih* and *mujtahid*. He was a *hadith* expert who had collected the *hadiths* of Makka and Madina in addition to those of Kufa. He developed *ra'y*.

Abu Hurayra: (d. c. 58/677-8) a Companion who is one of the most prolific narrators of *hadiths*. He became Muslim after the Khaybar expedition (7/629) and was one of the *Ahl as-Suffa*. He acted as governor of Bahrayn for 'Umar.

Abu Malik al-Ash'ari: al-Harith ibn Harith, a Companion.

Abu Musa al-Ash'ari: (d. 44/662-3) a famous Companion whose name was 'Abdullah ibn Qays. He acted as governor of Aden for the Prophet, commanded an army in the Battle of Tustar and was governor of Basra for 'Umar. His knowledge of *fiqh* was famous.

Abu Nu'aym al-Isfahani: Ahmad ibn 'Abdullah, (d. 430/1038), a notable *hadith* scholar who studied under many excellent men. He wrote various works, including *al-Mustadrak* and *Hilyat al-Awliya'*.

Abu Tammam: Habib ibn Aws at-Ta'i (188-232//804-846), a poet who composed a *Diwan* and *Hamasa*.

Abu Umama al-Bahili: Sudayy ibn 'Ajlan (d. 81/700), the last of the Companions to die in Syria.

Ahmad (ibn Hanbal): (164-241/780-856) Imam of the *Ahl as-Sunna*, the founder of the Hanbali school and compiler of a *Musnad* which contains 30,000 *hadiths*.

'A'isha: (d. 58/678) the daughter of Abu Bakr as-Siddiq and favourite wife of the Prophet.

'Ali ibn Abi Talib: (d. 40/661) the cousin and son-in-law of the Prophet, having married his daughter Fatima. When 'Uthman was murdered in 35/656, he became khalif. He was assassinated by a Kharijite in Kufa.

Anas ibn Malik: (d. 91-8/709-712) a famous Companion of the Prophet, who served the Prophet from an early age.

Asma' bint Abi Bakr: (d. 73/692) 'A'isha's sister and daughter of Abu Bakr as-Siddiq, the mother of 'Abdullah ibn az-Zubayr.

al-Aswad ibn Yazid: (d. 75/694) one of the great *Tabi'un*, known for his transmission from Ibn Mas'ud and his *fiqh* and worship. He was the most important scholar in Kufa in his time.

'Ata' ibn Abi Rabah: (d. 115/733) a pupil of Ibn 'Abbas and *hadith* transmitter. He was said to be the first man in Makka to go deeply into questions of *fiqh*.

al-Awza'i: (d. 157/774) the principal Syrian Shari'a authority of his area and founder of a *madhhab* which was later superseded by the Maliki school.

al-Bayhaqi: Ahmad ibn al-Husayn (458/1066). a Shafi'i scholar who produced nearly 1000 volumes. He was one of the great Imams in *hadith* and Shafi'i *fiqh*. He wrote several books, including *as-Sunan al-Kubra*, *as-Sunan as-Sughra*, and *al-Mabsut*.

al-Baydawi: 'Abdullah ibn Umar (d. 685/1282). When '*al-Qadi*' is mentioned in *tafsir*, he is the one who is meant. He was *qadi* in Shiraz for a time. His chief work was *Anwar at-Tanzil*.

Bilal ibn Rabah: (d. 17/638 or 21/643) an Abyssinian slave of Umayya ibn Khalaf, he was one of the earliest Muslims. His master tortured him to force him to renounce his faith. He was purchased and set free by Abu Bakr. He became the *mu'adhdhin* of the Prophet.

al-Bukhari: Muhammad ibn Isma'il: (194/810- 256/870), a famous *hadith* scholar who produced the *Sahih*, considered to be the most reliable collection of *hadiths*.

Burayda ibn al-Hasib: (d. 63/683) a Companion who became Muslim before Badr. He went on ten expeditions with the Prophet and he was present at al-Hudaybiyya.

al-Busiri: (610/1212-695/1296), an Egyptian scholar, calligrapher, teacher and poet and disciple of ash-Shadhili and al-Mursi. He wrote the poem *al-Burda* in praise of the Prophet.

ad-Dahhak ibn Muzahim: (d. 114/732), a *Tabi'i* who is a reliable transmitter of *hadith*.

ad-Daraqutni: 'Ali ibn 'Umar (396/918-385/995) from Dar al-Qutn, a part of Baghdad. A famous scholar, he had knowledge of *Hadith* and weaknesses and the names of narrators and their status in justice, truthfulness and knowledge of the schools of the *fuqaha'*.

al-Fadl ibn 'Abbas al-Hashimi: a courageous Companion and notable man. He was oldest of 'Abbas's children.

Faraj ibn Fadala: (d. 176/792) a Syrian who was in charge of the Treasury at the beginning of Harun ar-Rashid's khalifate. He was weak in *hadith* but was related from.

Fatima bint Qays: a female Companion from whom a number of *hadiths* are related.

al-Ghazali: Abu Hamid Muhammad at-Tusi (450/1058-505/1111) the Shafi'i Imam and Sufi. He studied *fiqh* with al-

Juwayni. He taught at the Nizamiyya Madrasa in Baghdad before he became a Sufi, but suffered a spiritual crisis in 1095; he then gave up the academic life for the ascetic regime of a Sufi. He is nicknamed "Shafi'i the Second" and *Hujjat al-Islam* (:The Proof of Islam"). He was the author of many books, including *Tahâfut al-Falâsifa* (The Incoherence of the philosophers) and *Ihya' 'Ulum ad-din*.

Hafsa bint 'Umar ibn al-Khattab: (d. 45/665) One of the wives of the Prophet.

al-Hakim: Muhammad ibn 'Abdullah (321/933-405/1014), a Shafi'i *faqih* and *hadith* scholar. He compiled about 1,500 volumes on *hadith*, of which the most famous is *al-Mustadrak*.

Hudhayfa ibn al-Yaman: (d. 36/656/7) one of the earliest Muslims. He was governor of Ctesiphon under 'Umar. He related a large number of *hadiths*.

Ibn 'Abbas: 'Abdullah ibn 'Abbas (d. 68/687/8), a cousin and close Companion of the Prophet, acknowledged as the greatest scholar of the first generation of the Muslims. He narrated many *hadiths* and is the founder of the science of *tafsir*.

Ibn 'Umar: 'Abdullah (d. 73/693) a Companion of the Prophet, son of 'Umar ibn al-Khattab. He enjoyed universal respect because of his character. He devoted himself to learning.

Ibn Abi Mulayka: (d. 735/1335) a *qadi* under 'Abdullah ibn az-Zubayr.

Ibn Hajar al-'Asqalani: Ahmad ibn 'Ali (773/1372-852/1449) a Shafi'i Imam in *hadith*. He is bestknown as the author of *Fath al-Bari*, a commentary on the *Sahih* of al-Bukhari.

Ibn Hazm: 'Ali ibn Ahmad az-Zahiri (384/994-456/1064) the famous Andalusian scholar and main representative of the Zahirite school.

Ibn Hisham: (d. 218/833) He worked up *Kitab al-Maghazi* of Ibn Ishaq, the earliest biography of the Prophet. One of the best existing authorities on the life of the Prophet.

Ibn Ishaq: Muhammad (d. ca. 150/767) His *Kitab al-Maghazi* is the earliest biography of the Prophet. His work has perished and what we have is the adaptation of Ibn Hisham.

Ibn Kathir, Isma'il ibn 'Umar (701/1202-774/1372) a Shafi'i scholar and prolific author on various subjects. An expert on *rijal*, he also wrote a well-known *tafsir* and a major universal history, al-*Bidaya wa'n-Nihaya*.

Ibn Khuzayma: Muhammad ibn Ishaq (223/838-311/924), a Shafi'i scholar and *mujtahid* who wrote more than 140 books, including *Mukhtasar al-Mukhtasar*.

Ibn Majah: Muhammad ibn Yazid al-Qazwini (209/824-273/887) a *hadith* master and Qur'anic commentator whose *Sunan* is one of the six sound collections of *hadith*.

Ibn Mas'ud: 'Abdullah ibn Mas'ud (d. 32-3/562-654) one of the earliest Companions, renowed for his knowledge, especially about the Qur'an and matters of *fiqh*.

Ibn al-Qayyim: Muhammad ibn Abi Bakr al-Jawziyya (692/1292-751/1350) a Hanbali *hadith* scholar who wrote *Zad al-Ma'ad*. He also wrote *I'lam al-Muwaqqi'in* on *usul al-fiqh* and edited the works of his shaykh: Ibn Taymiyya.

Ibn Qudama: 'Abdullah ibn Muhammad ibn Qudama al-Maqdisi (541/1146-620/1223) a Hanbali scholar and Imam educated in Damascus who wrote al-*Mughni* on Hanbali *fiqh*.

Ibn Sa'd: *see Muhammad ibn Sa'd*.

Ibn Taymiyya: Ahmad ibn 'Abdu'l-Halim (661/1263-728/1328) the famous Hanbali scholar, often incorrectly believed to have opposed Sufism. He was imprisoned for much of his life. He was a copious write.

Isma'il ibn 'Ayyash al-'Ansi: (d. 181/797 or 182/798) traditionist, considered to have had the most comprehensive knowledge of the *hadith* of the Syrians in his time.

'Iyad, Qadi: 'Iyad ibn Musa al-Yahsubi (467/1083-544/1149) the Imam of the western Muslim world in *hadith* and Arabic, a gifted Maliki *faqih* and scholar who wrote a number of books, especially *ash-Shifa'* on the life of the Prophet. He was a qadi in Cordoba, then Granada and then Marrakesh.

Iyas ibn Mu'awiya ibn Qurra: a *qadi* of Basra who had reliable *hadiths*.

Jabir ibn 'Abdullah: al-Khazraji, a leading Companion. (d. ca. 74/693) He related 1500 *hadiths* and taught in the Prophet's Mosque.

Khabbab ibn al-Aratt: one of the first ten to accept Islam. He was a blacksmith and was beaten up when he became Muslim. He was tortured severely until he emigrated. He became very wealthy at the end of his life.

al-Khazin: 'Ali ibn Muhammad al-Baghdadi (d. 741/1340-1), a Qur'an commentator.

Layth ibn Sa'd: al-Fihri al-Misri: (d.175/791) an excellent *faqih* about whom it was said, "He had more *fiqh* than Malik but his companions wasted him. "He was a Follower of the Followers and Malik said that he was a man of knowledge.

Makhul: ibn Abi Muslim Shahrab, (d. 112/730) the main scholar of Syria in his time, he was a freed slave who studied and travelled in search of knowledge. He was famous for *fatwa*.

Malik ibn Anas: (d. 179/795), the famous Imam of Madina in *fiqh* and *hadith*. One of the four Imams of *madhhabs,* founder of the Maliki school and author of the *Muwatta'*.

Masruq: ibn Ajda' al-Hamdani (d. 63/683) a scholar who learned *fatwa* from Shurayh. He was a *qadi* in Kufa.

al-Mazari: Muhammad b. 'Ali (453/1061-536/1141-42) a Maliki *faqih* and scholar who wrote a commentary on *al-Burhan* by al-Juwayni and a commentary on the *Sahih Muslim* called *al-Mu'lim bi-fawa'id Muslim*.

Mu'awiya ibn Abi Sufyan: (d. 60/680), a Companion and the *Amir al-Mu'minin*. He became khalif in 40/661.

Muhammad ibn 'Abdi'l-Wahhab: (d. 1791) founder of the Wahhabi movement.

Muhammad ibn Sa'd: Abu 'Abdullah, (d. 230/845) a great reliable Imam and author of the *Tabaqat*.

Muhammad ibn Sirin: (110/729) the Imam of his time in the sciences of the *deen* in Basra, a *Tabi'i* who is reliable in *fiqh* and who relates *hadith* and is related from by the Six Imams. He was known for his scrupulousness and dream interpretation.

al-Mundhiri: 'Abdu'l-'Adhim (d. 656/1258) a *Hadith* scholar and compiler of Hadith.

Muslim: Muslim ibn al-Hajjaj al-Qushayri an-Nishapuri (204/820-261/875) a Shafi'i scholar and *hadith* master. His *Sahih* is said to be one of the soundest books of *hadith*.

Nafi': (d. 119/737) the client of 'Abdullah ibn 'Umar. He grew up in Madina to become the *mufti* and Imam of the *Tabi'un*, and the teacher of Malik and al-Layth ibn Sa'd.

an-Nawawi: Yahya ibn Sharaf (631/1233-676/1277) the Imam of the mediaeval Shafi'ites and author of many books: *Minhaj at-Talibin, Kitab al-Adhkar, Riyad as-Salihin* and other works.

Razin ibn Mu'awiya: Abu'l-Hasan, (d. 525/1130) a Maliki Imam of Makka and expert on *hadith* and history who produced a compendium of the Six *Sahih* Collections, *Tajrid as-Sihâh as-Sitta*.

Sa'd ibn Abi Waqqas: (d. 55/675) one of the Ten Companions promised the Garden, and the last of them to die. He was a maternal uncle of the Prophet and became Muslim when he was 17, fought at Badr, led the Muslims to victory at al-Qadisiyya. He was one of the six people of the Council after 'Umar's death.

Safiyya bint Huyyay: (d. 50/670) one of the wives of the Prophet.

Sahl ibn Sa'd as-Sa'idi: (d. 91/710) one of the famous Companions.

Sa'id ibn Jubayr: (d. 95/713-4) a legal scholar of the second generation who studied under Ibn 'Abbas and Ibn 'Umar.

Salman al-Farisi: (d. 35/656) the client of the Prophet and a Companion. Originally a Magian from Isfahan in Iran, he did not leave the Prophet after being freed. He called himself Salman al-Islam.

as-San'ani: Ahmad ibn 'Abdullah (5th/11th century) a historian.

ash-Sha'bi: Abu Amr 'Amir ibn Sharahil, (d. 104 /721) a *Tabi'i* famous for his intelligence, one of the reliable men of *hadith* in Kufa.

ash-Shafi'i: Muhammad ibn Idris (150/767-204/820), the famous scholar and founder of one of the four *madhhabs*.He wrote *al-Umm* and *ar-Risala* and was the first to formulate the principles of abrogating and abrogated verses.

ash-Shatibi: Ibrahim ibn Musa al-Gharnati (d. 790/1388), a Maliki *faqih* who wrote *al-I'tisâm* and *al-Muwâfaqât*.

ash-Shawkani: Muhammad ibn 'Ali (1173/1760-1250/1834) an important scholar, educated in San'a where he became a *qadi*. He wrote 114 books, most notably an eight-volume commentary on *hadith* called *Nayl al-Awtar*.

Shurayh ibn al-Harith al-Kindi: (d. ca. 78/692) of Persian origin, he came to Madina after the Prophet's death. He was judge in Kufa for 'Umar, 'Uthman, 'Ali and Mu'awiya.

Sufyan ibn 'Uyayna: (d. 198/813) one of the scholars and Imams from whom the compilers of the Six *Sahih* has transmitted.

at-Tabari: Muhammad ibn Jarir (224/839-310/923.) a scholar with famous books, especially his large history and a large and widely-used *tafsir* of the Qur'an called *Jami' al-Bayan* known as *Tafsir al-Tabari*. He also had his own school of *fiqh*.

Tamim ad-Dari: a Companion who moved to Syria after 'Uthman's murder. He was one of the People of the Book who knew their books.

Thabit al-Bunani: (d. 127/774) the Six Collections transmit hadiths from him. He was the leader of the men of knowledge and worship in his time.

at-Tirmidhi: 'Isa ibn Muhammad ibn 'Isa (209/824-279/892) a of great scholar, proficient in *fiqh* and author of books on the science of *hadith*. His *Sunan* is one of the Six *Sahih* Collections.

'Umar ibn al-Khattab: Amir al-Mu'minin (d. 23/643) one of the strongest defenders of Islam and greatest Companions. He became Khalif after Abu Bakr but was murdered ten and a half years later.

'Umar ibn 'Abdi'l-'Aziz: (d. 101/720) a Follower and a great Imam. People say he was the sixth of the khalifs. He was Khalif for two years and five months. His piety is famous.

'Uthman ibn 'Affan: (d. 36/644) the third of the Rightly-Guided Khalifs and one of the ten Companions who were promised the Garden. He completed the compilation of the Qur'an and many conquests were carried out in his time. He was murdered while reading the Qur'an at his house in Madina.

Wahshi ibn Harb al-Habashi: the killer of Hamza ibn 'Abdi'l-Muttalib, the uncle of the Prophet. He later became Muslim and participated in killing Musaylima the Liar. He settled in Hims where he died.

Zayd ibn Aslam: (d. 136/753) the *faqih*, the client of 'Umar. He is reliable and his *hadith* are sound. He related from Ibn 'Umar and Jabir. The authors of the Six transmit hadiths from him.

Zaynab: bint Jahsh al-Asadiyya: (d. 20/641) wife of the Prophet. She had previously been married to Zayd ibn Haritha, who divorced her and then the Prophet married her.

az-Zubayr ibn al-'Awwam: (36/656) one of the most courageous of the Companions. He became Muslim when he was sixteen and was one of the ten Companions who were promised the Garden, participating in Badr, Uhud and other battles.

az-Zuhri: Abu 'Abdullah Muhammad ibn Muslim (d. 124/742) one of the earliest and most prolific collectors of traditions.

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